

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.11780 OF 2018

ORDER

The prayer of the petitioner in this case reads as under:

'For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of "Writ of Mandamus" by declaring the action of the Official Respondents more particularly the Respondent No.3 as arbitrary, discriminatory, highhanded and ex-facie illegal in not taking necessary action against the Respondent No.4 to 8 under Section 82 and 83 of Registration Act 1908 inspite of receiving Petitioner's written representation dt.09-03-2018 and consequently direct the Respondent No.3 to take necessary action under Section 82 & 83 of Registration Act 1908 against the Respondent Nos.4 to 8 by lodging criminal complaint against them before the concerned police station in the light of Petitioner's written representation dt.09-03-2018, in the interest of justice and may pass such other Order or Orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.'

Sri Nazir Ahmed Khan, learned counsel for the petitioner, would assert that certain offences under the Registration Act, 1908 (*for brevity*, 'the Act of 1908') were committed by respondents 4 to 8 but despite the petitioner making a written representation as long back as on 09.03.2018, respondents 1 to 3 have not taken any steps under the provisions of Sections 81 to 83 of the Act of 1908.

Sri A.Najeeb Khan, learned counsel for respondents 5 to 8, would however counter this argument by stating that no such offences were committed.

It would be wholly premature for this Court to go into the merits of the complaint made by the petitioner at this stage. It is for the authorities

concerned to take a call in the light of Sections 81 to 83 of the Act of 1908 and decide as to whether sufficient grounds are made out for initiating action thereunder.

The writ petition is accordingly disposed of directing the District Registrar, Red Hills, Nampally, Hyderabad, Telangana State, respondent 3, to take a decision on the written representation dated 09.03.2018 made by the petitioner and take appropriate action thereon. In the event he finds no grounds to initiate prosecution under Sections 81 to 83 of the Act of 1908, he shall communicate the reasons therefor to the petitioner. This exercise, one way or the other, shall be completed expeditiously and in any event, not later than four weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

24th JANUARY, 2019

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