

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION NO.15859 OF 2019

ORDER:

The petitioner filed this Writ Petition with the following prayer:-

“...to issue Writ or Direction preferably Writ of Mandamus, declaring the action of the respondent Nos.3 and 4 in not taking steps against respondent No.6 and 7 pursuant to the receipt of the report dated 20.07.2019 as respondent No.6 and 7 have violated the proceedings issued by the respondent No.5 vide proc.No.B/4206/17 dated 16.03.2017 as promulgation order under Section 145 Cr.P.C. as illegal, arbitrary and violative of principles of natural justice and consequently direct the respondent Nos.3 and 4 to conduct and prevent the respondent Nos.6 and 7 from meddling with the subject property and pass such other order or orders as the Hon'ble Court may deem fit and proper in the circumstances of the case.”

Counsel for the petitioner submits that respondent-Police are not taking any action against respondent Nos.6 and 7 for meddling with the subject property though proceedings were issued under Section 145 Cr.P.C. dated 16.03.2017.

Learned Assistant Government Pleader for Revenue submits that as on today, no proceedings under Section 145 Cr.P.C. are issued and it is only at a premature stage.

Learned Assistant Government Pleader for Home submits that already crime is registered on the complaint of the petitioner and the same is under investigation.

It is to be seen that if the petitioner is aggrieved by any action of the unofficial respondents, he has to approach the Civil Court by availing alternative remedy but the petitioner filed this

Writ Petition seeking directions to the police to interfere with the civil disputes pending. In view of the same, this Court is not inclined to entertain this Writ Petition.

Accordingly, the Writ Petition is disposed of granting liberty to the petitioner to avail alternative remedies available to him. There shall be no order as to costs. Miscellaneous applications, if any, pending shall stand closed.

(A.RAJASHEKER REDDY, J)

26th July 2019
RRB

