

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.32999 of 2012

ORDER:

Heard learned counsel for the petitioners as well as learned Government Pleader appearing for respondent Nos.3 to 5.

2. The prayer sought in the writ petition is as under:-

“....to issue writ order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the Respondents not taken any steps against the Head Master, Government High School, Madireddykunta Area (new) Basith Nagar (old) and others to restrain their illegal attempts and direct the respondents to pay the damages Rs.2,00,000/- for demolished compound wall & shed and pass such other order or orders which the Honourable Court deems fit and reasonable to reach the ends of Justice.”

3. During the course of hearing, learned Government Pleader for Home placed on record the written instructions, dated 19.09.2019, issued by the Sub-Inspector of Police, Hanamkonda Police Station, Warangal District.

4. A perusal of the said written instructions would reveal that pursuant to registration of Crime No.205 of 2012, for the offences under Sections 447, 427 and 506 read with 34 IPC, on 15.06.2012, investigation was completed and final report was filed referring the case as ‘mistake of fact’ before the concerned Court. It is also specifically mentioned in the written instructions that the final report

was filed after serving notice on the complainant i.e., the petitioner herein.

5. In view of the said aspect, if the petitioner is aggrieved by the final report, the remedy available to him is by way of a protest application before the concerned Magistrate. In that view of the matter, this Court is of the opinion that no further cause would survive in the writ petition and the same is liable to be dismissed.

6. Accordingly, the writ petition is dismissed.

Miscellaneous petitions pending, if any, shall stand dismissed.

No costs.

26th September 2019

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P. KESHA VA RAO, J

