

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.20376 of 2019

ORDER:

The present writ petition is filed to declare the inaction of the respondents 3 to 6 in investigating and taking prompt action against respondents 7, 8 and 9 with regard to crimes registered in Cr.No.244 of 2019, dated 08-08-2019, Cr.No.214 of 2019, 03-07-2019, Cr.No.200 of 2019 and Cr.No.144 of 2019, dated 20-05-2019.

Heard learned counsel for the petitioner, learned counsel appearing for respondents 7 to 9 and learned Assistant Government Pleader for Home.

The entire dispute between the petitioner and respondents 7 to 9 relates to land in Sy.No.10 situated at Bommaipally Village of Bhongir Mandal, wherein each party is claiming their respective share of land. The dispute between the parties have entered portals of this Court on earlier occasion in WP.No.10535 of 2019 by one of the respondents in the present writ petition, which was disposed of by this Court by order dated 30-07-2017. Notwithstanding the said order passed by this Court, the present writ petition came to be filed.

Learned Assistant Government Pleader for Home, today, during the course of hearing, produced written instructions dated 18-09-2019, wherein it is stated that since the dispute between the petitioner and respondents 7 and 8 relates to the land, the 5th respondent is not in a position to settle the same has addressed a letter to Executive First Class Magistrate, Bhongir on 18-07-2019 with request to initiate proceedings under Section 145 Cr.P.C. The 5th respondent registered a case in

Cr.No.221 of 2019 of Bhongir Rural Police Station under Section 145 Cr.P.C.

Since a request has been made to the Executive First Class Magistrate, Bhongir for initiating proceedings under Section 145 Cr.P.C., this Court cannot interfere into the matter at this stage and deems it appropriate to direct the Executive First Class Magistrate to take necessary action under the provisions of Cr.P.C. after issuing notice to the parties concerned in the matter within a period of eight weeks from the date of receipt of a copy of this order. As the Executive First Class Magistrate is not a party to these proceedings, either of the parties i.e. petitioner or respondents 7 and 7 who are litigating over the land are permitted to produce a copy of this order before the said authority, for taking the same on record and acting thereon.

The writ petition is accordingly disposed of. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE T.VINOD KUMAR

07-11-2019
Nvl