

THE HON'BLE SRI JUSTICE T. VINOD KUMAR

Writ Petition No.20844 of 2019

ORDER:

The present writ petition is filed to declare the action of the 3rd respondent-Station House Officer, Beerpur Police Station, Jagtial District, in calling the petitioners to the police station and threatening them to leave the agricultural land admeasuring Ac.2.06 guntas in Survey No.189 situated at Donkeshwar Village, hamlet of Komanpally Village of Beerpur Mandal, Jagtial District and handover the same in favour of the unofficial respondent No.4, as being illegal, arbitrary and violative of natural justice, with consequential relief to direct the 3rd respondent not to harass the petitioners by calling them to the police station.

Heard Sri K. Venumadhav, learned counsel for the petitioners and the learned Assistant Government Pleader for Home appearing for the officials respondents 1 to 3.

The learned Assistant Government Pleader for Home, on written instructions dated 23.10.2019, a copy of which is placed on the record of this Court, would submit that the second petitioner gave a complaint stating that he is having land in Survey No.189 and that one Y. Vijaya and her family members are encroaching into their land. On receipt of the above complaint, a GD entry was made. Even prior to the complaint is made by the second petitioner with regard to the

alleged encroachment by one Vijaya, one Mella Kiran gave a complaint on the same day stating that he is having land in Survey No.95/1 and that one M. Venkatesh, who is the second petitioner in the present writ petition, is encroaching into his land and threatening with dire consequences. On receipt of the above complaint also, another GD entry was made.

Upon receipt of the complaints from the second petitioner in the present writ petition as well as one Malle Kiran, since they relates to the identification of land, the 3rd respondent addressed a letter to the Mandal Revenue Officer (now Tahsildar) to give particulars of ownership of land in Survey No.189 and the said authority gave a report stating that the Mella Kiran is having land in Survey No.95/1 and that he is entering into the land in Survey No.189. It is submitted that the 3rd respondent issued notice to the second petitioner on 24.09.2019, who has received the same, as per the signature affixed on the copy of the notice, informing that the matter is purely civil in nature and advised them to approach the competent civil Court.

The learned Assistant Government Pleader for Home further submits that except in the course of investigation of the above complaint made against the second petitioner, the 3rd respondent has never called the petitioners to the police station nor interfered in the civil dispute.

Inasmuch as the notice dated 24.09.2019 was served on the petitioner, it is always open for the petitioners to approach the appropriate forum for availing remedies in accordance with law, if they are aggrieved by the said notice.

Recording the above submissions made by the Assistant Government Pleader for Home on the basis of written instructions, the writ petition is closed. No order as to costs.

As a sequel thereto, Miscellaneous Applications, if any, pending in this writ petition shall stand closed.

Date: 15.11.2019
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T. VINOD KUMAR, J

