

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.26283 of 2019

ORDER:

This writ petition is filed questioning inaction on the part of respondent No.3 in registering the complaint of the petitioner dated 17.06.2019 stated to have been sent by registered post acknowledgment due and to declare the inaction as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home.

3. Learned Assistant Government Pleader for Home, on written instructions, dated 16.12.2019, submits that the people who were named in the complaint of the petitioner as having trespassed into the property of the petitioner situated at Chelpur village, Shivar of Huzurabad Mandal and demolished the pillars and warned the petitioner with dire consequences. Learned Assistant Government Pleader further submits that already on the above said issue, basing on the complaint of one S.Mallaiah, a case was registered in Cr.No.116/209 under Section 324 read with 34 I.P.C and Section 3 (1) (r) (s) of SC/ST (POA) Act, on 09.03.2019, on the file of fourth respondent police station and in the said case the statement of petitioner herein-R.Komuraiah was recorded and was made as a witness, thus a notice was served on the petitioner on 30.11.2019 informing that already a case is registered and no further action can be taken on the complaint of the petitioner. A copy of written instructions along with notice dated 30.11.2019 and FIR is placed on record, of this Court.

4. Having regard to the submissions made by the learned Assistant Government Pleader on behalf of the official respondents and since a

notice is already issued to the petitioner informing that no action can be taken on the complaint of the petitioner inasmuch as already a case on the same facts has been registered on the complaint given by one S.Mallaiah, no further orders need be passed in the present writ petition. However, it is open for the petitioner to approach appropriate forum to avail remedies, in accordance with law, if the petitioner is aggrieved by the notice dated 30.11.2019 issued by the official respondents.

5. Subject to above observations, the writ petition is closed. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

Date:19.12.2019
grk

JUSTICE T.VINOD KUMAR

