

HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.31306 of 2014

ORDER:

Heard the learned counsel for the petitioners as well as the learned Government Pleader appearing for respondent Nos.1 and 2.

The prayer sought in the writ petition is as under:

“... to issue a writ of Mandamus or any other appropriate writ, order declaring the action of the 2nd respondent in harassing and coercing the petitioners to pay amounts to the respondents 3 and 4 as illegal, arbitrary, without jurisdiction and violative of Article 21 of the Constitution.”

Learned Government Pleader placed on record written instructions dated 24.10.2014 issued by the Sub-Inspector of Police, Keesara Police Station.

From a perusal of the said written instructions, it is revealed that one Mr. Margam Vijayakar, husband of the 3rd respondent, lodged a complaint with Keesara Police Station on 20.10.2014 stating that he purchased 4 plots from one Mr. Narasimha bearing Nos.85, 86, 93 and 94 admeasuring in all 264.64 square yards in Sy.Nos.26 and 27 situated at Narsampally and Yadgarpally villages and registered the plots in the name of his wife. However, subsequently, upon knowing that the said plots/land belongs to the Government, he requested the said Narasimha and others to return back the amount, which was paid towards plots, or else show their clear documents. Whereupon, the above said persons agreed

to pay back the money and later refused to pay the same. They also threatened the petitioners with dire consequences. Pursuant to the said complaint, a case in Crime No.350 of 2014 for the offence under Sections 420 and 506 IPC was registered on the file of Keesara Police Station on 20.10.2014. In fact, all the petitioners are shown as accused in the above said crime. Except registration of the above said crime on receipt of a cognizable complaint from the husband of the 3rd respondent and proceeding with the investigation of the case as per law, till the date of issuance of the written instructions, the respondent police never harassed the petitioners nor asked them to pay the amounts due to the unofficial respondents.

Learned Government Pleader also brought to the notice of this Court that after completion of investigation, a charge sheet was filed. However, the matter was compromised between the parties in the Court of the Judicial Magistrate of First Class, Malkajgiri.

In that view of the matter, this Court is of the opinion that there are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

Miscellaneous petitions, if any, shall also stand dismissed.

P. KESHAVA RAO, J

Date: 23.12.2019.
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