

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 31223 of 2018

Date : 14.3.2.2019

Between:

M A Qadeer S/o Late M A Wahab Aged about 48 years Occ Private
Service R/o H No 19221/23/54/A/8/4 Basharath Nagar
Jahanuma Hyderabad & others

Petitioner

And

The Principal Secretary Home
The State of Telangana Secretariat Building Hyderabad
500 004 & others

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Home.

2. Petitioners represented by GPA holder Mr Mohammed Habeeb Sab, filed a complaint on 4.5.2018 against respondents 7 to 13 alleging cheating, forgery, fabrication of false documents to unlawfully knock away the immovable ancestral property of petitioners admeasuring Ac.16.19 guntas in Survey No. 55 and 58 (Old survey NOs. 27 and 28) Amjadabad village/Khajaguda, Serrilingampalli mandal, Ranga Reddy district. Petitioners allege that based on the false documents respondents 7 to 13 have received huge amounts as advance from third parties and in collusion with them filed suit in O S No. 279 of 2018 on the file of XV Additional District Judge, Ranga Reddy for partition of suit property arraying respondent no.11 herein as defendant. Deponent herein stated to have filed implead petition in the said suit to implead him as defendant no.2 and the same is pending. Further it is alleged that respondent no.11 herein also obtained an exparte decree on 31.12.2014 in O S No. 643 of 2003 on the file of Additional Junior Civil Judge, Ranga Reddy based on forged and false document i.e., gift deed claiming herself as sole legal heir.

3. In the above background, the GPA herein on behalf of petitioners filed a private complaint in CC (SR) 3523 of 2017 under Section 200 read with Sections 190 and 156 of Cr.P.C. Questioning delay in investigation, WP 8863 of 2018 was filed and the same was disposed of directing police to complete investigation expeditiously and to file charge sheet. Petitioners also stated to have filed WP No. 20489 of

2009 for mutation of their names in revenue records and the same is pending.

4. Deponent herein further submits that police complaint was lodged by him on 4.5.2018 to take action against the culprits and since police refused to register the same, this writ petition is filed.

5. Based on written instructions furnished by Station House Officer, Kalapatar police station, learned Government Pleader submitted that the complaint of the petitioner dt 4.5.2018 was entered in the station records and acknowledgement dated 5.5.2018 was issued. Further, on enquiry as it revealed that subject matter is purely civil in nature and Court cases are pending, petitioner was informed vide letter dated 25.8.2018 that the case is closed as 'Civil Nature'. Copy is enclosed to the instructions. The instructions also disclose that on private complaint of petitioner FIR 736 of 2017 was registered on the file of Raidurgam police station.

6. It is thus, clear that there is no negligence in acting on the complaint of petitioner. If petitioner is not satisfied with the notice issued on 25.8.2018, it is open to him to work out remedies as available in law. The writ petition is accordingly dismissed. No costs. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 14.3.2019
TVK

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