

THE HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.2672 of 2014

ORDER:

Heard learned counsel for the petitioner as well as learned Government Pleader for the respondents.

2. The prayer sought in the writ petition is as under:-

“... to issue a Writ or Writs more appropriately a Writ of Mandamus declaring the inaction of the respondent No.2 and 3 to consider the representations of the petitioner dated 26-12-2013 and 06-01-2014 and the respondent No.5 dated 27-12-2013 and 17-01-2014 is illegal, void and ultra vires in the interest of justice and pass such other order or orders.”

3. Learned Government Pleader placed on record the written instructions, dated 30.10.2019, issued by the Inspector of Police, Khammam I Town Police Station, Khammam District.

4. From a perusal of the said written instructions, it is evident that on 05.11.2014 the petitioner came to the Police Station and lodged a petition stating that she was allotted land on lease by State Wakf Board, Hyderabad, for construction of religious teaching school, on which, some illegal persons interrupted for the construction and on which she approached High Court and obtained orders, vide W.P.No.2672 of 2014, dated 03.02.2014. On which, police have extended co-operation and restrained the miscreants and the construction activity went on smoothly. However, some un-social elements have filed some false representation before the Collector and DRO, Khammam, and the officers instructed Revenue Divisional Officer, Khammam (RDO) to verify into the matter

and RDO has visited on 03.11.2014, conducted survey with the approved plan and declared no deviation, but again the un-social elements and others disturbing the peaceful construction activity without any valid reason.

5. It is further stated in the written instructions that after receipt of the petition, the petitioner was given a receipt, vide Receipt No.1195, and the 3rd respondent called the un-official respondents to the police station. Upon which, they have stated that on 31.10.2014, they have given a representation to the District Collector alleging that Wakf Board has given Ac.1.03 guntas for construction of the religious school to the petitioner, but in deviation to the plan, the lessee and other related persons are encroaching the open Wakf land beside the Masjid and constructing compound wall. The then Inspector of Police, Khammam I Town, placed the above said facts and other information to the concerned superior officers vide C.Nos.118/Insp-T1/2015, dated 11.03.2015 and C.No.177/Insp-T1/2019, dated 19.04.2015, requesting the superior officers to lodge the petition, as it is civil and false in nature.

6. Ms.Saleha Begum, learned counsel, appearing for counsel for the petitioner brought to the notice of this Court that in view of the interim order passed by this Court on 03.02.2014, no further orders are required.

7. Accordingly, the writ petition is closed.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

P. KESHA VA RAO, J

30th October 2019
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