

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.36318 of 2014

ORDER:

There is no representation on behalf of the petitioners.

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

“...to issue a writ, order or orders more particularly one in the nature of “Writ of Mandamus” declaring the action of Respondents more particularly that of Respondent No.4, in seeking to dispossess petitioner in respect of subject Plot i.e. Plot No.133, admeasuring 275 Sq. yards, forming part of Sy.No.254 and 259, admeasuring 2 Ac & 1 Ac.30 Gts. respectively, situated at Block No.1, Kartikeyanagar, Nachram, Under GHMC Kapra Circle, Uppal Mandal, Ranga Reddy District, is questioned in this Writ Petition as being arbitrary, illegal violative of Articles 14, 19(1)(g), 21 and 300-A of Constitution of India and consequently direct the Respondent No.3 to forebear from interfering with petitioner possession over in respect of subject Plot i.e. Plot No.133, admeasuring 275 Sq. yards, forming part of Sy.No.254 and 259, admeasuring 2 Ac & 1Ac-30 Gts. respectively, situated at Block No.1, Kartikeyanagar, Nachram, Under GHMC Kapra Circle, Uppal Mandal Ranga Reddy District, ...”

3. Learned Government Pleader appearing for respondent Nos.1 to 3 placed on record the written instructions, dated 31.10.2019, issued by the Assistant Sub-Inspector of Police, Nacharam Police Station, Rachakonda Commissionerate.

4. From the perusal of the said written instructions, it is revealed that the petitioner herein filed a private complaint under Section 200 Cr.P.C. on the file of the XIII Metropolitan Magistrate at L.B.Nagar against one J.Sudhakar. Upon receipt of the private complaint, the said Court forwarded it to the 3rd respondent-Police Station for investigation and report under Section 156(3) Cr.P.C. On receipt of the said private complaint, a case in Crime No.404 of 2014 for the offences under Sections 420, 468 and 475 IPC was registered on 05.12.2014 against two accused and investigation was taken up. In the said complaint, the complainant stated that he purchased a plot bearing No.133 admeasuring 275 sq. yards and the accused with a dishonest intention to cheat him has illegally fabricated the round seal of the District Registrar and Collector, Ranga Reddy District and also certificate under Sections 41 and 42 of the Indian Stamp Act and also forged the signature of then District Registrar. After completion of investigation, the case was referred as 'civil in nature' as per the proceedings of the Deputy Commissioner of Police, Malkajgiri, on 20.08.2016. In fact, a copy of the notice was also served on the complainant. Except proceeding with the investigation of the case, the respondent police never interfered with the subject property of the petitioner herein.

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

6. Accordingly, the writ petition is dismissed.

Miscellaneous petitions pending, if any, shall stand dismissed.

No costs.

8th November 2019

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P. KESHAVA RAO, J

