

**THE HONOURABLE SRI JUSTICE P. KESHA RAO**

**WRIT PETITION No.4693 of 2014**

**ORDER:**

There is no representation on behalf of the petitioner.

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

“...issue a writ, order or direction more particularly one in the nature of *WRIT OF MANDAMUS* declaring the action of respondents in not registering the crime on the petitioner's reports dt.13.04.2012 and 30.12.2011 on the file of 4<sup>th</sup> respondent, as illegal, irregular, irrational, amounts to non discharge of legal obligation conferred on them under the provisions of Code of Criminal Procedure 1973 and offends articles 14 and 21 of Constitution of India and consequently direct the 4<sup>th</sup> respondent to register the crime and prosecute the accused persons for appropriate offences and penal provisions of law and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

3. The 4<sup>th</sup> respondent filed a counter-affidavit stating that they have not received the complaints, dated 30.12.2011 and 13.04.2012 alleged to have been lodged by the petitioner. Even on verification of the Station records, it is revealed that no such complaints are received by the 4<sup>th</sup> respondent-Police Station. In fact, on the complaint of one Ch.Sanjiv on 17.04.2012 a case in Crime No.120 of 2012 for the offence under section 2(1)(x) of SC/ST (POA) Act, 1989 was registered against the petitioner. The case is pending trial, vide P.R.C.No.25 of 2013, on the file of the Judicial First Class Magistrate, Peddapally. It is also mentioned in the counter-affidavit that on the complaint of N. Srinivas on 11.05.2012, a case in Crime No.163 of 2012 for the offence under Section 384 IPC was registered against the petitioner. The case is also pending for trial, vide

C.C.No.432 of 2012, before the Court of the Judicial First Class Magistrate at Peddapally. It is further mentioned in the counter-affidavit that there is a civil dispute between the petitioner and one Kotte Komuraiah and others with regard to the land admeasuring Ac.7.00 guntas in Survey No.947 situated at Raghavapur Village, Peddapally Mandal, Karimnagar District, and for which, the respondent police having nothing to do with it. The petitioner unnecessarily involving the police into civil litigation.

4. Though a counter-affidavit is filed, there is no reply affidavit is filed by the petitioner rebutting the facts mentioned in the counter-affidavit.

5. In these circumstances, 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.

30<sup>th</sup> October 2019

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**P. KESHA VA RAO, J**