

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.1880 OF 2020

ORDER:

The present Writ Petition is filed to declare the inaction of respondent Nos.2 to 5 in registering the crime, based on petitioner's complaint dated 24.07.2019, sent by registered post with acknowledgment due on 10.10.2019, as being illegal and arbitrary.

Heard Sri K. Kiran Kumar, learned Counsel for the petitioner and learned Assistant Government Pleader for Home.

Learned Assistant Government Pleader for Home, on written instructions dated 04.02.2020, submits that on 23.07.2019 at 10.58 hours, the 5th respondent authority received a Dial 100 call, informing that some dispute arose regarding boundary dispute besides Kings family dhaba land in the limits of Kandi village. Upon receiving the said call, the police personnel went there and on enquiry, it disclosed that no quarrel took place and a dispute arose due to boundary issue, as such the police personnel advised both the parties not to create any law and order issue and were further directed to approach the police station, upon which, both the parties approached the 5th respondent Station House Officer and on enquiry, it disclosed that the matter is civil in nature and as such a notice was issued to the petitioner and the other individual i.e., S. Deepak Kumar informing that the matter is purely civil in nature and advised them to get the land surveyed and not to create any law and order issue.

By the said written instructions, it is also stated that the 5th respondent authority also addressed a letter to the Tahsildar, Kandi Mandal on 24.07.2019 with a request to depute a surveyor whenever the parties approach to get the land surveyed in Sy. No.502/Vu situated beside Kings Dhaba hotel in the outskirts of Kandi village. By the said written instructions, it is further stated that the petitioner sent a petition dated 04.10.2019 to the 5th respondent through registered post and the same was received by the said respondent on 05.10.2019, upon which G.D. entry was made and on perusal of the petition, since it disclosed that already in the month of July, the same issue was complained when the 5th respondent authority advised both the parties to get survey the land for boundary dispute, no further action was taken on the said complaint received on 05.10.2019.

Having regard to the above submission, since the issue relates to boundary dispute and the 5th respondent authority having already made a request to the concerned Tahsildar to depute a surveyor to get the land surveyed, the petitioner is at liberty to approach the authority seeking for appointment of such surveyor to bring a quietus to the issue.

Granting such liberty to the petitioner, no further orders are necessary in this Writ Petition.

Accordingly, the Writ Petition is closed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

JUSTICE T.VINOD KUMAR

Date: 10.02.2020.

MRKR