

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.2146 OF 2020

ORDER:

The present Writ Petition is filed to declare the action of respondent Nos.2 and 3 in not registering the FIR on the petitioner's complaint dated 10.01.2020, as being illegal, arbitrary and unconstitutional.

Heard Sri B. Mohan, learned Counsel for the petitioner and learned Assistant Government Pleader for Home.

Learned Assistant Government Pleader for Home, on written instructions dated 03.02.2020, submits that the petitioner in the present Writ Petition gave a petition to the 3rd respondent authority on 10.01.2020 stating that some unknown persons illegally trespassed into his property i.e., Plot bearing No.1 & 32/A in Bharadwaj Port Town, admeasuring 350 sq.yds in Sy. No.707, 743 and 745 situated at Bharadwaj Port Town, Shamshabad village and Mandal, Ranga Reddy District.

Learned Assistant Government Pleader for Home submits that on receipt of the above petition, the 3rd respondent authority made a G.D. entry and enquiry was done. During enquiry, it disclosed that already a case was registered regarding the above said issue in Crime No.496 of 2018 under Sections 448, 427 IPC, on the complaint made by the petitioner himself, as such a notice was sent to the petitioner through registered post on 03.02.2020 informing the same.

Having regard to the fact that a notice has been issued to the petitioner as to the action taken on the complaint made by the petitioner, it is open for the petitioner to approach the appropriate forum to avail remedies in accordance with law, if the petitioner is aggrieved by the said notice issued by the respondent authorities. It is needless to mention that, since a crime has already been registered, based on the complaint of the petitioner for the same said offence, it is open for the petitioner to pursue the said case registered based on the complaint made by the petitioner on earlier occasion. Thus, no further orders need be passed 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