

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.36499 of 2014

ORDER:

There is no representation on behalf of the petitioner.

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

“...to issue writ or direction preferably Writ of Mandamus declaring the inaction of respondent no.3 in registering crime and not proceeding with the investigation on the basis of complaint dt.20.11.2014 as illegal, arbitrary and violative of principles of natural justice and consequently direct the respondent no.3 to register the complaint and proceed with investigation as per law, and pass such other or further orders as this Hon’ble Court deems fit and proper in the circumstances of the case.”

3. Learned Government Pleader appearing for respondent Nos.1 to 3 placed on record the written instructions issued by the Station House Officer, Thallada Police Station, Khammam District.

4. From a perusal of the said written instructions, it is revealed that the petitioner has given a complaint on 08.11.2013 and 26.10.2013 against one Vemireddy Krishna Reddy and others stating that there is a civil dispute between the petitioner and the said Vemireddy Krishna Reddy and others and requested the police to take necessary action to the extent of police protection pursuant to the injunction orders passed in I.A.No.686 of 2013 in O.S.No.193 of 2013, dated 25.07.2014. Pursuant to the said complaint, a case in Crime No.171 of 2013 under Sections 448, 294-B and 324 read with 34 IPC was registered. During the course of investigation, all the accused were arrested and produced before the concerned Court. After completion of investigation, a charge sheet was also filed. The petitioner also sent another complaint, dated 20.11.2014, through

registered post. Basing on the said complaint, the Station House Officer, Thallada Police Station, investigated into the matter and went to the petitioner's land and enquired Vemireddy Krishna Reddy, who stated that he also had interim injunction order, vide I.A.No.694 of 2013 in O.S.No.203 of 2013 till the disposal of the main suit. The petitioner is claiming the land in Survey No.823/3 to an extent of Ac.2.30 guntas, whereas Vemireddy Krishna Reddy is claiming Ac.0.30 guntas in Survey No.823/2 and both have obtained interim orders against each other. The respondent police have advised both the parties to resolve their disputes, as it pertains to demarcation of the land, before the Civil Court.

5. Learned Government Pleader also brought to the notice of this Court that except advising the petitioner and the said Vemireddy Krishna Reddy, the respondent police have not harassed nor interfered in the civil disputes between the petitioner and the said Vemireddy Krishna Reddy.

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

7. Accordingly, the writ petition is dismissed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand dismissed.

P. KESHA VA RAO, J