

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 24841 of 2014

ORDER:

In this Writ Petition, petitioner's grievance is that respondent Nos.2 and 3 are not taking action against respondent Nos.4 and 5 pursuant to her complaint dated 11.08.2014.

The third respondent – Station House Officer, I Town Police Station, Nalgonda, filed a counter-affidavit stating that with regard to the land in Survey Nos.79 and 80/A, which the petitioner is claiming, there is O.S.No.12 of 2007 on the file of the Junior Civil Judge's Court, Nalgonda, pending; that on an earlier occasion, she filed Writ Petition No.15355 of 2014 seeking a direction to the Superintendent of Police, Nalgonda, to take action on her complaint dated 01.05.2014 and pursuant to the directions issued by this Court, enquiry was conducted and in the enquiry, it was revealed that the petitioner had already sold the land in Survey No.80/A; that she is the accused in Crime Nos.108/2011 and 205/2014 under Sections 420, 468 and 471 IPC of Nalgonda II Town Police Station; that she being a surrendered extremist has been provided eligible benefits under eligible schemes; that she has been approaching the police and revenue officials seeking various concessions which she is not eligible, however, is making unsubstantiated and baseless allegations against them; that there is no substance in the specific

allegations made against respondents 4 and 5 and no crime was registered and that pursuant to the orders of this Court, the Joint Collector, Nalgonda, conducted enquiry and passed orders on 28.07.2014 specifically holding that the petitioner is not having any land in Survey No.79 and 80/A. In the circumstances, the respondents prayed for dismissal of the Writ Petition.

The petitioner filed a detailed reply affidavit asserting that C.C.No.90 of 2015 pertaining to Crime No.205 of 2014 filed against herself and her husband was dismissed by the Excise Court, Nalgonda, and C.C.No.660 of 2015 pertaining to Crime No.108 of 2011 is posted to 20.02.2020 and that out of the land admeasuring Acs.3.28 guntas, her father-in-law sold an extent of land Ac.1.02 guntas to Little Flower School in 1970 and the remaining land to an extent of Acs.2.26 guntas is sought to be grabbed by the said school authorities with the support of the revenue authorities, but, respondents 4 and 5 gave false reports to the third respondent, as such, the contention of the authorities that her family does not own any land is incorrect. She prayed for issuing directions to the respondents 2 and 3 to register a criminal case against respondents 4 and 5.

A perusal of the complaint alleged to have been filed by the petitioner discloses that there are no specific allegations levelled against any of the respondents except making a vague allegation

that the District Collector, Revenue Divisional Officer E-Section Superintendent Officer, Nalgonda Collectorate, Nalgonda Town, have colluded with the other authorities.

Ultimately, the grievance of the petitioner is with respect to the land admeasuring Acs.3.28 guntas in Survey Nos.79 and 80, which she claims as belonging to her father-in-law. Further, it is not the case of the petitioner that the land is allotted by the State by way of grant. In the circumstances, so as to protect her rights in the land, it is for her to approach the Civil Court as the matter involves production of documents and recording of evidence. If she succeeds in the civil suit, neither the revenue authorities nor the police authorities can deny or deprive of her rights in the land.

Subject to the above, this Writ Petition is closed.

Miscellaneous applications, if any pending, shall also stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

10th FEBRUARY, 2020.

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