

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.21955 of 2019

ORDER:

This writ petition is filed to declare the action of the 1st respondent in not taking any action in relation to the case registered against the accused on 09.01.2018 as well as 11.01.2018 in Crime No.11 of 2018 on the file of Geesugonda Police Station, on the basis of the complaint made by the petitioner's tenant, as being illegal, arbitrary and unjust, and consequently seeks a direction to the official respondents to provide necessary protection to the tenant of the petitioner and his family members, as there is threat to their lives due to the inaction of the respondent police.

2. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home.

3. Learned Assistant Government Pleader for Home, on written instructions, dated 26.12.2019, submits that on receipt of the complaint from one Gudipaka Eliya, on 11.01.2018, a case was registered in Crime No.11 of 2018 under Sections 427, 447 and 506 read with Section 34 IPC, on the file of Geesugonda Police Station, on 11.01.2018. During the course of investigation, L.W.1 was examined and his statement was recorded. Further, on 12.01.2018, the Investigating Officer visited the scene of offence and drafted the scene of offence in the CDF in the presence of L.Ws.5 and 6 and recorded the statements of L.Ws.2 to 4. On 28.04.2018 and 04.05.2018, notices were served on the complainant under Section 91 Cr.P.C. to produce the relevant documents in support of her complaint and by further notice, dated 23.06.2018, the complainant

was directed to produce link documents, but she did not respond to the same, as a result of which, the investigation is pending. It is also stated that on 20.07.2018, the Investigating Officer addressed a letter to Mandal Revenue Officer, Geesugonda, to submit the names of pattadars in Survey No.154 to proceed further with the investigation in the case. On 15.05.2019, a letter was also addressed to the Commissioner, Greater Warangal Municipal Corporation, to clarify the ownership of demolished house bearing No.45-7-281. Learned Assistant Government Pleader further submits that investigation in the case is complete and is pending for obtaining opinion from the Public Prosecutor and upon receipt of the said opinion from the Public Prosecutor, a final report will be filed before the competent Court.

4. Having regard to the submissions made on behalf of the official respondents, no further orders need be passed in the present writ petition, except observing that the authorities shall obtain the opinion of the Public Prosecutor and file the final report before the concerned Court, as expeditiously as possible, but not later than two months from the date of receipt of a copy of this order.

5. Subject to the above observation and direction, the writ petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE T.VINOD KUMAR

Date:28.01.2020

GJ