

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.36585 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 a writ, order or direction, more particularly one in the nature of WRIT OF MANDAMUS, declare the action of the Respondent authorities in not taking any action upon the complaint dt.26.8.2014 made against the Respondents 5 and 6 as per Criminal Procedure Code as illegal, arbitrary and contrary to Chapter XII of Code of Criminal Procedure, 1973, and consequently direct the Respondents authorities to decide the petitioner case in accordance with law as early as possible, and pass such other and further or orders as the Hon’ble Court may deem fit and proper in the circumstances of the case.”

3. Learned Government Pleader appearing for respondent Nos.1 to 4 placed on record the written instructions issued by the Sub-Inspector of Police, Medak Town Police Station.

4. From a perusal of the said written instructions, it is revealed that the petitioner taken the premises of respondent Nos.5 and 6 to run the hospital and entered into an agreement. Both the parties agreed to certain terms and conditions, which includes that the petitioner can run his hospital without any rent and advance for a period of five years from 07.03.2009 to 07.03.2014 and during the said period the petitioner has to pay the electricity bill. Later, the petitioner went to the Home Minister, Hyderabad, and given a written complaint, dated 26.08.2014, against respondent Nos.5 and 6. On the said complaint, the Home Minister endorsed and sent the same to the Deputy Superintendent of Police, Medak Sub-Division (DSP). Then the DSP

called the petitioner and respondent Nos.5 and 6 and discussed the matter. As per the rental agreement, the petitioner has to handover the said premises on 07.03.2014 to respondent Nos.5 and 6. But, without intimating, the petitioner closed the hospital and went to his native place at Suraypet and returned back on 10.08.2014. At that time, respondent Nos.5 and 6 demanded the petitioner to pay rent of Rs.20,000/- per month. On preliminary enquiry, it was revealed that the matter pertains to recovery of rents. The DSP advised both the parties to settle the dispute before a competent civil Court. It is also mentioned in the written instructions that on 08.10.2014 the petitioner filed a case before Mandal Legal Services Committee at Medak vide P.L.C.No.341 of 2014 and the same was posted on 20.12.2014. Therefore, the respondent police have not taken any action.

5. 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.

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

Miscellaneous petitions pending, if any, shall stand dismissed.

P. KESHA VA RAO, J

9th January 2020

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