

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.36020 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 in the nature of MANDAMUS, declaring the action of the Respondent No.1 Sub-Inspector of police, Police Station Metpalli in encouraging the respondent No.2 to throw away the house-hold articles and push out the petitioner’s wife and daughter from the house bearing No.5-1-132, Gajulpet locality, Metpalli Town, M.R.Metpalli, Karimnagar District as illegal, arbitrary and colourable exercise of power and violative of Article 21 of Constitution of India and pass such other order or orders in the interest of justice.”

3. Learned Government Pleader placed on record the written instructions issued by the Station House Officer, Metpalli Police Station, Karimnagar District.

4. From a perusal of the said written instructions, it is revealed that the 3rd respondent herein approached Metpalli Police Station, Karimnagar District, and lodged a complaint against the petitioner on 23.09.2014 stating that the petitioner sold one house containing three rooms to the complainant on 24.11.2005 and the petitioner settled as a tenant in one room of the said house and later occupied the remaining two rooms and warned the complainant to kill him. Therefore, he requested the police to take necessary action as per law. Basing on the said complaint, a case in Crime No.253 of 2014 for the offences under Sections 447 and 506 IPC was registered on the file of the Metpalli Police Station on 23.09.2014 and investigation was taken up.

The petitioner herein is shown as the sole accused in the F.I.R. During the course of investigation, the Investigating Officer examined the 3rd respondent/complainant and other witnesses and recorded their detailed statements. While the investigation is under hectic progress and on coming to know about the registration of the crime against him, the petitioner, with a malafide intention and to divert the attention of the of the Investigating Agency for not conducting the investigation in a proper and fair manner, filed the present writ petition with all baseless allegations. In fact, no credence can be given to the allegations made by the petitioner in the affidavit filed in support of the writ petition and the same are intended for the purpose of filing the present writ petition.

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. KESHAVA RAO, J

9th January 2020

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