

THE HONOURABLE SRI JUSTICE P. KESHAVA RAO

WRIT PETITION No.33227 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, order or direction more particularly one in the nature of writ of mandamus declaring the action of the 3rd Respondent in not investigating into the case in Crime No.210 of 2013 of Raghunathpally Police Station, Warangal Rural, Warangal District, and also not recording the statements Under Section 161 Cr.P.C. so far in spite of several requests and representations of the petitioner is illegal, arbitrary, improper, and unconstitutional and against the procedure contemplated under the code of criminal procedure and consequently direct the respondents to investigate into the case in Crime No.210 of 2013 of Raghunathpally Police Station, Warangal Rural, Warangal District and to file final report forthwith as per the law and also procedure contemplated under the code of criminal procedure and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

3. Learned Government Pleader appearing for the respondents 1 to 3 brought to the notice of this Court that pursuant to registration of Crime No.210 of 2013, investigation was completed and a final report was filed before the concerned Court on 30.01.2015 referring the case as ‘civil in nature’. It is also brought to the notice of this Court that a copy of the notice of said final report was also served on the petitioner. If that be so, the remedy available to the petitioner, if she has got any objections on the final report, is by way of filing a protest application before the very same Court. That apart, in the counter-affidavit filed by the 3rd respondent, it is specifically mentioned that except the complainant/petitioner, no one supported her version. The dispute of the petitioner as well as the accused

relating to the subject land in question is purely civil in nature. Therefore, after obtaining permission from the higher authorities, further course of action will be taken within a month.

4. Since final report is already filed, the remedy available to the petitioner is a pretest application before the very same Court. Hence, I am of the view that no further cause would survive in the writ petition and the same is liable to be closed.

5. Accordingly, the writ petition is closed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

3rd January 2020
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P. KESHAVA RAO, J

