

THE HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.33406 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 writ of mandamus declaring the illegal action of the respondents not taking any action on complaint dated 20/23.6.2014 and not giving any police protection or assistance in the enjoyment of peaceful possession and harvest of standing crops in survey No.70, 89 of Garlapadu village, Bonakal Mandal, Khammam District is illegal arbitrary consequently direct the respondents to take action on the complaint 20/23.6.2014 by giving police protection and assistance at the time of harvesting and crops and peaceful possession of the land in survey No.70, 89 of Garlapadu village Bonakal Mandal, Khammam District and pass such other order or orders which ever this Hon’ble Court may deem fit and proper.”

3. Learned Government Pleader appearing for the respondents 1 and 2 placed on record the written instructions issued by the 1st respondent-Station House Officer, Bonakal Police Station, Khammam District.

4. From a perusal of the said written instructions, it is revealed that the petitioner submitted a representation, dated 20/23.06.2014, to the respondents stating that she is the owner, pattedar and possessor of the land admeasuring to an extent of Ac.2.32 guntas in Survey No.89/AA, totally admeasuring Ac.11.31 guntas, of dry land situated at Garlapadu Village of Bonakal Mandal, Khammam District, which was purchased for a valuable sale consideration and to that effect the revenue authorities also issued pattadar pass books and record of rights in her favour. However, one Mr.Tata Ramachandra Rao

S/o.Venkaiah is threatening her that he would kill them and using force against them in order to grab the said property. On 17.06.2014 the said person illegally trespassed into their land with a tractor to spoil the bunds around their land. When it was questioned, the said person threatened and abused with vulgar language and requested the police to take necessary action. Upon receipt of the said complaint, an entry was made into the General Diary of the Station and after conducting preliminary enquiry into the matter, action will be taken on it. During the course of preliminary enquiry, it was revealed that there are disputes between the petitioner as well as Mr.Tata Ramchandra Rao. Thus, the respondent advised the petitioner to seek redressal in a competent civil Court, since both the parties are claiming rights over the subject property. It is further mentioned in the instructions that while the matter stood thus, one K.Satyanarayana S/o.Gopaaiah, R/o.Garlapadu village of Bonakal Mandal, who is the kowldar of the petitioner herein, approached the 1st respondent and lodged a complaint on 02.11.2014 stating that he has taken the land on lease from Smt.V.Konda Krishnaveni i.e., the petitioner herein, and doing cultivation in an extent of Ac.11.32 guntas since two years and that one Mr.Tata Ramachandra Rao and others criminally trespassed into the land and stolen the cotton from their fields and taken away in their bags and requested to take necessary action. Pursuant to the said complaint, a case in Crime No.158 of 2014 for the offences under Sections 447 and 379 IPC was registered on the file of the Bonakal Police Station of Khammam District, on 02.11.2014 and investigation

was taken up. After completion of investigation, a final report was filed on 06.04.2015 before the concerned Court referred the case as 'false'.

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.

2nd January 2020
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P. KESHAVA RAO, J

