

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.4500 of 2021

ORDER:

The petitioner herein seeks a writ of Mandamus declaring the inaction of respondent Nos.2, 3 and 4 in initiating action against respondent No.5 basing on the complaint, dated 15.12.2020, made by the petitioner as illegal, arbitrary and for a consequential direction to respondent Nos.2, 3 and 4 to forthwith act upon the said complaint and further grant police protection to the petitioner and his family against respondent No.5, so as to enable the petitioner to proceed and complete the construction of house in petitioner's premises bearing H.No.11-1-900/1/A in Sy.No.838, 839/1/2, admeasuring 148 square yards, situated at Chintabai, Chilkalguda, Secunderabad, as per the building permission, dated 19.02.2020.

2. Heard both sides. Perused the record.

3. Learned counsel for the petitioner would submit that the petitioner is the absolute owner and possessor of house plot bearing No.11-1-900/1/A in Sy.No.838, 839/1/2, admeasuring 148 square yards, situated at Chintabai, Chilkalguda, Secunderabad. He obtained building permission from GHMC for construction of a house on the subject land. While the construction work was carrying on in the subject premises, the unofficial respondent No.5 interfered with the same and started harassing the petitioner. Therefore, the petitioner made a complaint, dated 15.12.2020, to the respondent No.4 requesting him to take action against the unofficial respondent No.5. However, no action has been taken on the said complaint,

dated 15.12.2020, and ultimately prayed to allow the writ petition as prayed for.

4. On the other hand, the learned Assistant Government Pleader for Home appearing for official respondent Nos.1 to 4, on written instructions, submitted that the subject complaint, dated 15.12.2020, of the petitioner has been investigated into by the respondents-police and Final Report was filed on 05.03.2021 referring the dispute as 'civil in nature' and the intimation of the proposed Closure Report was also sent to the petitioner.

5. Since it is stated that the subject complaint, dated 15.12.2020, of the petitioner has been investigated into and Final Report was filed on 05.03.2021 referring the dispute as 'civil in nature', no relief, as sought by the petitioner, can be granted. However, it is left open to the petitioner to work out the remedies, in accordance with law.

6. With the above observation, this writ petition is disposed of.

Miscellaneous petitions, if any, pending in this writ petition, shall stand closed. There shall be no order as to costs.

04th February, 2022
Bvv

Dr. SHAMEEM AKTHER, J