

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE TWENTY NINTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

Criminal Revision Case No.20 of 2012

Criminal Revision under Sections 397 & 401 Cr.P.C. aggrieved by the proceedings dated 23.10.2010 passed in No.E4/4441/2010 on the file the Joint Collector, Adilabad.

Between:

Pottu Thirupathi @ Thirupathi Reddy, S/o. Late P.Raja Ram, aged about 43 years, Occ: Govt. Employee, R/o. 19-201, Ramanagar, Near Markendeya Temple, Mancherial, Adilabad.

...Petitioner/Respondent No.17.

AND

1. The State of A.P., rep., by its Public Prosecutor, High Court Buildings, High Court of Andhra Pradesh, Hyderabad.
 2. Peedi Mallaiah.
 3. Bheskula Mallaiah.
 4. Bheskula Lachaiah.
 5. Bheskula Rambai.
 6. Saidula Balaiah.
 7. Saidula Pochaiah.
 8. Saidula Rajaiah.
 9. Peddi Kishtaiah.
 10. Mollu Damaiah.
 11. Maetae Nakka Mallaiah.
 12. Maetae Mallakka.
 13. Saidula Mallaiah.
 14. Saidula Lachaiah.
 15. Atkuri Pochaiah.
 16. Saidula Shankaraiah.
 17. Mothae Bapu.
 18. Mothae Balaiah.
- (No. 2 to 18 are R/o. Dugnepally Village, Chennur Mandal, Adilabad District.)

...Respondents/Petitioner Nos.1 to 17.

I.A. NO: 1 OF 2012(CRLRCMP. NO: 27 OF 2012)

Petition under Section 482 Cr.P.C. praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the proceedings of impugned orders dated 23-10-2010, in proceedings No.E4/4441/2010, of the Joint Collector, Adilabad District, against this Petitioner, pending disposal of the above Criminal revision.

Counsel for the Petitioner: Sri. K. Chakradhar Reddy representing
Sri P.Achutham Reddy.

Counsel for the Respondent No.1: Mr. Vizarith Ali,
Additional Public Prosecutor.

Counsel for the Respondent Nos.2 to 18: None appeared.

The Court made the following: **ORDER**

THE HONOURABLE SRI JUSTICE E. V. VENUGOPAL

CRIMINAL REVISION CASE No.20 OF 2012

ORDER:

This Criminal Revision Case has been filed against the proceedings passed by the Joint collector, Adilabad District vide proceedings bearing No.E4/4441/2010 under sub-section (8) of 145 of Cr.P.C. directing both the parties to restrain to enter into the suit land, assailing the same the present case has been filed.

2. Mr.K.Chakradhar Reddy, Learned counsel representing on behalf of learned counsel for the revision petitioner would submit that the said proceedings ought not have been issued by the respondent-joint collector without appreciating the facts that the petitioner was holding the title deed as on the said date and requested to decide the matter on merits.

3. Mr.Vizarath Ali, Learned Assistant Public Prosecutor is present and would submit that the revision petitioner ought to have invoked the provisions under section 145(5) of Cr.P.C. to set aside the orders passed by the Joint Collector and without availing remedy as available under law

approached this Court at pre-mature stage. Therefore seeks to dismiss this criminal revision case.

4. This Court does not find any merit to interfere with the order passed by the official respondent-Joint Collector. Therefore, recording the submissions of both sides, this Court is inclined to dispose of this Criminal Revision Case, granting liberty to the petitioners, if desired to approach respondent-joint collector to invoke the provisions under section 145 (5) of Cr.P.C. to work out remedy as available under law.

5. Accordingly this Criminal Revision Case is disposed of.
No Costs.

Miscellaneous Petitions, pending if any, shall stand closed.

Sd/- M. MANJULA
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Joint Collector, Adilabad.
2. One CC to Sri P.Achutham Reddy, Advocate [OPUC]
3. One CC to the Public Prosecutor, High Court, Buildings, Hyderabad.
[OPUC]
4. Two CD Copies

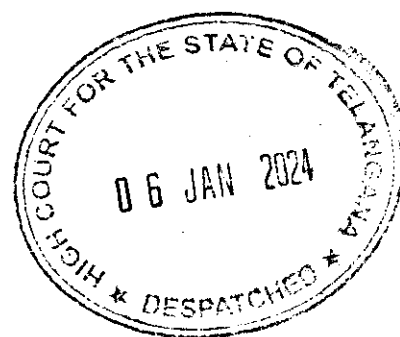
JCK

HIGH COURT

DATED:29/09/2023

ORDER

CRLRC.No.20 of 2012



Disposing of the Criminal Revision.

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ALMA
18/26/12/2023