

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

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

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 34974 OF 2023

Between:

Mr. Kandula Mallaiah, S/o Lingaiah, Aged 70 years, Occ : Agriculture, H.No.3-60,
Vital nagar, Ramakrishnapur, Kyathanpally, Mandamarri mandal. Mancheria District.

.....PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home, Secretariat Building, Hyderabad.
2. The Station House Officer, P.S Ramakrishnapur, Mancheria District.

.....RESPONDENTS

Petition Under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a appropriate writ, order or orders, more particularly one in the nature of writ of mandamus to the respondents in not arresting and protecting the property of the petitioners in sy no.3 of the petitioners land extent is 0.26 gte twenty six guntas equalent hectares 0.26 bounded by . north Nala, south, vendor land , east, Road, west , purchaser own land in crime no. 243/23 dated 14-12-2023 against the complaint given by the petitioner dated 14-12-2023 is illegal arbitrary and violation of Art 21, 300 A of constitution of India there by direct the respondent no. 2 to arrest and protect the property of the petitioners in sy.no.3 of the petitioners land extent is 0.26 gte twenty guntas.

I.A.NO:1 OF 2023

Petition Under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to issue a direction to the respondent no.2 to arrest the accused persons and

protect the property of the petitioner land in sy.no.3 to an extent is 0.26 gte
twenty six guntas pending disposal of the writ petition.

Counsel for the Petitioner : SRI POCHAIAH DORISHETTI

Counsel for the Respondents : AGP FOR HOME

The Court made the following ORDER

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION No.34974 OF 2023

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

“...to issue an appropriate writ, order or orders, more particularly one in the nature of writ of mandamus to the respondents in not arresting and protecting the property of the petitioners in survey No.3 of the petitioner's land to an extent of Ac.0-26 guntas, bounded by North:Nala, South:Vendor land, East:Road, West:purchaser own land in Crime No.243/23, dated 14.12.2023 against the complaint given by the petitioner, dated 14.12.2023, as arbitrary, illegal and violation of Articles 21 and 300-A of the Constitution of India thereby direct respondent No.2 to arrest and protect the property of the petitioners in Survey No.3 of the petitioners...”

2. Heard learned counsel for the petitioner and learned Assistant Government for Home appearing for the respondents.

3. The grievance of the petitioner is that though basing on his complaint, dated, 14.12.2023, respondent No.2 has registered a case in Crime No.243 of 2023 on the file of Ramakrishnapur Police Station, Mancherial District, for the offences punishable under Sections 447, 294 (b) and 506 read with 34 IPC, he is not conducting fair and proper investigation to arrest the accused persons and to protect the petitioner's property.

4. Learned Assistant Government Pleader for Home, on instructions, would submit that basing on the complaint of the petitioner, respondent No.2 has already registered a case and took up investigation. Learned counsel further submitted that if sufficient time is granted to respondent No.2, respondent No.2 would complete the investigation and file charge sheet / final report in the subject crime.

5. In view of the said submissions, this Court deems it appropriate to dispose of the Writ Petition directing respondent No.2 to complete the investigation in Crime No.243 of 2023, dated 14.12.2023 on the file of Ramakrishnapur Police Station, Mancherial District, and file charge sheet/final report within a period of three (3) months from the date of receipt of a copy of this order.

6. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

**SD/-A.V.S. PRASAD
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

- To
1. The Principal Secretary, Home, Secretariat Building, State of Telangana at Hyderabad.
 2. The Station House Officer, P.S Ramakrishnapur, Mancherial District.
 3. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad. [OUT]
 4. One CC to Sri Pochaiah Dorishetti, Advocate [OPUC]
 5. Two CD Copies

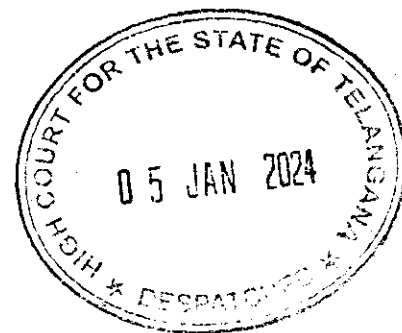
SA

HIGH COURT

DATED:29/12/2023

ORDER

WP.No.34974 of 2023



**DISPOSING OF THE W.P
WITHOUT COSTS.**

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5/1/24
Hv4