

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

**FRIDAY, THE NINTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 27783 OF 2023

Between:

M. Koteswar Rao, S/o. Madhusudhan Rao, Aged about 81 years, Occ.
Agriculturist, Shanthinagar Post, Waddepalli Mandal, Jogulamba-Gadwal
District, TS.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat, Hyderabad.
2. The Director General of Police, State of Telangana, Hyderabad.
3. The Superintend of Police, Jogulamba-Gadwal District, TS.
4. The Deputy Inspector of General, Mahabubnagar Range, at Mahabubnagar.
5. Deputy Superintend of Police, Gadwal, At Gadwal.
6. The Station House Officer, Shanthinagar Police Station, Shaninagar, Jogulamba-Gadwal District, TS.

...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 Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondent police particularly 6th respondent in not registering the FIR basing on the complaint of the petitioner dated 29/06/2023, even without considering the instructions of the 3rd respondent is illegal, arbitrary and against the principles of natural justice and also violation of apex court rulings held in Lalitha Kumari Vs. Govt. of UP and ors and as well as Cr.P.C and consequently direct the respondents police to entertain the complaint and register the FIR against the culprits.

IA 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 direct the respondents police to register the FIR basing on the complaint of the petitioner dated 29/06/2023 to take action against the culprits, pending disposal of the main writ petition.

Counsel for the Petitioner: SRI D.A.PREM CHAND
Counsel for the Respondents: GP FOR HOME

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO.27783 OF 2023

ORDER:

The case of the petitioner is that he lodged a written complaint on the file of the respondents 5 and 6 on 29.06.2023. The grievance of the petitioner is that, though the complaint, dated 29.06.2023 reveals commission of a cognizable offence, the respondents 5 and 6, colluding with the persons, who are encroaching the petitioner's property, have not registered his complaint.

2. Today, when the matter is taken up for hearing, learned counsel for the petitioner sought permission of this Court to approach the competent forum for redressal of his grievance.

3. In view of the same, without expressing any opinion on the merits of the case, the Writ Petition is dismissed permitting the petitioner to take appropriate steps in accordance with law.

There shall be no order as to costs. Miscellaneous applications, if any, pending shall stand dismissed.

**SD/- MOHD. SANAULLAH ANSARI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To

1. One CC to SRI D.A.PREM CHAND, Advocate [OPUC]
2. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad. [OUT]
3. Two CD Copies

PSK.
GJP



HIGH COURT

DATED:09/02/2024

ORDER

WP.No.27783 of 2023



**DISMISSING THE WRIT PETITION
WITHOUT COSTS.**

⑥ vvw
5/3/24