

THE HON'BLE SRI JUSTICE K.SREENIVASA REDDY

WRIT PETITION No.19916 of 2023

ORDER:-

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

“....to issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus Declaring that

A. The illegal instructions of the 3rd official respondent i.e. 4th unofficial respondent i.e., Station House officer, Salur Town P.S. preventing the petitioners to continue with the building construction process is one without jurisdiction contrary to law

B. The in action of the 3rd official respondent i e 4th unofficial respondent i e Station House officer, Salur Town P S in not registering the FIR on the complaint Dt.26.07.2023 made by the 1st Petitioner is opposed to law

C. The illegal exercise undertaken by the 3rd official respondent i e 4th unofficial respondent i.e., Station House officer, Salur Town P S extending behind back support to the 5th and 6th respondents is one without jurisdiction contrary to law and against to the Police standing orders and various observations of the Constitutional courts and as bad, illegal, arbitrary and opposed to Law unreasonable and violation of the fundamental rights guaranteed to the petitioners under Articles 14 and Art 21 and 300A of the Constitution of India to grant...”

2. Grievance of the petitioners is that 2nd petitioner is the owner of vacant land *vide* registered Sale deed No.142 of 2023, dated 11.01.2023. After obtaining permission from Salur Municipality *vide* Proceedings No.1092/0015/B/Salur/GDM/2023, dated 26.3.2023, he started constructions in the said land. While so, the unofficial respondents went to the subject land and beat him and his mother with sticks and abused them in filthy language. On that he gave a police report to the Station House Officer, Salur Town Police Station against the unofficial respondents. But the respondent No.3 did not take any action. The unofficial respondents are interfering with his construction activities to grab the property with the aid of the official respondents No.3 and 4.

3. At the time of hearing, the learned Government Pleader for Home, on instructions, submitted that basing on the report given by the petitioners, a case has been registered against the unofficial respondents. He further submitted that the respondent/police are not interfering

with the construction activities of the petitioners in their property, hence no orders are required to be passed.

4. Learned counsel for the petitioners submits that the same may be recorded and Writ Petition may be closed.

5. Recording the said submission of the learned Government Pleader that the police are not interfering with the subject property, the Writ Petition is closed. No costs.

Miscellaneous petitions, if any pending, in the Writ Petition, shall stand closed.

JUSTICE K. SREENIVASA REDDY

Dated: 27.9.2023
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