
(2022) 03 TEL CK 0062
In the Telangana High Court
Case No : Writ Petition No.15262 of 2022

Mohd. Jahangir

APPELLANT

Vs

State Of Telangana

RESPONDENT

Date of Decision : 25-03-2022

Acts Referred:

Citation : (2022) 03 TEL CK 0062

Hon'ble Judges : T. Vinod Kumar, J

Bench : Single Bench

Advocate : M A Mujeeb

Final Decision : Disposed Of

Judgement

1. This Writ Petition is filed seeking a Writ of Mandamus, to declare the action of the official respondents, in particular the 5th respondent, in not considering the petitioner's complaint, dated 14.03.2022, sent by registered post and not registering FIR against respondent Nos.6 to 9, as illegal, arbitrary and unconstitutional.

2. Heard counsel for the petitioner, learned Government Pleader for Home appearing for respondent Nos.1 to 5 and with their consent, the Writ Petition is taken up for hearing and disposal at the stage of admission.

3. Petitioner contends that aggrieved by high-handed action of respondent Nos.6 to 9, he claims to have approached the respondent authorities for non-refund of the money or not delivering possession of the property, which was sought to be sold to the petitioner under an Agreement of Sale dated 04.08.2014. The petitioner claims to have approached the 5th respondent and made a complaint and as he has refused to receive the said complaint, the same was sent through registered post by acknowledgment due on 14.03.2022. In spite of the same, the respondents did not register a case against the unofficial respondents in the matter, as yet, which action of the respondents is illegal and arbitrary.

4. Learned Government Pleader for Home has placed before this Court the Written Instructions dated 24.03.2022 under the signature of the Sub-Inspector of Police, Uppal Police Station, Rachakonda Commissionerate, and the same is taken on record.

5. By the said Written Instructions, the respondents contend that on receiving the above complaint sent by the petitioner through registered post on 19.03.2022, they made a GD entry. Thereafter, upon conducting preliminary enquiry, as the contents reveal that there is a civil dispute between the petitioner and respondent Nos.6 to 9, in respect of the property mentioned in the complaint, the said complaint received was closed as "civil in nature" on 23.03.2022 suggesting the petitioner to approach appropriate forum for redressal of his grievance. By the said Written Instructions, it is also stated that a notice was issued to the petitioner informing of the closure of the complaint as civil in nature on 24.03.2022.

6. Having regard to the communication sent by the respondents informing the petitioner of the closure of the complaint, as civil in nature, if the petitioner is aggrieved thereby, it is left open for him to avail appropriate remedies in accordance with law.

7. Subject to the above liberty, the Writ Petition is disposed of.

8. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. No order as to costs.