

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
(Special Original Jurisdiction)

WEDNESDAY, THE NINETEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HON'BLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 6799 OF 2025



Between:

Payanam Ratna Raju, S/o. Rajaratnam, aged about 59 years, Occ Advocate,
R/o D.No. 23A-7-36/A, Rangoon Media Street, Ramachandra Rao Pet, 34th
division, Eluru, Eluru Municipal Corporation, Eluru District.

...PETITIONER

AND

1. The State of Andhra Pradesh, Rep. by Principle Secretaiy, Home Department, Secretariat, Velagapudi, Am.aravati, Guntur District.
2. The Superintendent of Police, Eluru, Eluru District.
3. The Station House Officer, II Town Police Station, Eluru Eluru District.
4. Smt Dubbireddy Jau Harika, W/o Ganta Bhanu Kiran Age 34 years caste kapu velma D.No. 28-1-136 3rd Road, Shanthi Nagar, Eluru.
5. Sri Ganta Bhanu Kiran, S/o Mohan Kumar Alias Rammohan Rao Age 40 years caste kapu velma D.No. 28-1-136 3rd Road, Shanthi Nagar, Eluru.
6. Sri Ganta Ram Mohan Rao, S/o Anjaneynlu alias Mohan Kumar Age 65 years caste kapu velma D.No. 28-1-136, 3rd Road, Shanthi Nagar, Eluru.

...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 Orders or Directions more particularly

one in nature of Writ of Mandamus, declaring the inaction of the 3rd respondent in registering the FIR/Crime in pursuance to the complaint made to the 2nd respondent on 24-12-2024, 28-12-2024, 13-01-2025, 27-01-2025 (Since the 3rd respondent declined to receive the complaint) by the petitioner detailing that the 4th to 6th respondent trespassed into the petitioner's private lands without consent and demolished the petitioner house compound wall, as illegal, arbitrary, unconstitutional, contrary to the provisions of the Criminal Procedure Code, and violative of Article 14 and 21 of the Constitution of the India and consequently direct the 2nd respondent to forthwith register the Crime against the 4th to 6th respondent in pursuance to the complaint dated 24.12.2024, 28-12-2024, 13-01-2025, 27-01-2025 made to the 2nd, respondent as per law.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondent Nos. 2 and 3 to initiate action against the 4th to 6th respondent by registering the FIR in pursuance to the complaint made by the petitioner to the 2nd respondent on 24-12- 2024, 28-12-2024, 13-01-2025, 27-01-2025 for the criminal trespassed into the petitioners private lands and demolished the petitioner house compound wall., pending disposal of the above Writ petition in the Interest of justice and in the interest of petitioner.

Counsel for the Petitioner: SRI VINODIN RUTH MADAPALLI

Counsel for the Respondents No.1 to 3: GP FOR HOME

Counsel for the Respondents No.4 to 6: ----

The Court made the following: ORDER



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

[3457]

WEDNESDAY ,THE NINETEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 6799/2025

Between:

Payanam Ratna Raju

...PETITIONER

AND

The State Of Ap and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.VINODIN RUTH MADAPALLI

Counsel for the Respondent(S):

1.GP FOR HOME

The Court made the following:

THE HON'BLE SRI JUSTICE HARINATH.N

WRIT PETITION No:6799 OF 2025

ORDER:

1. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader appearing for respondents.
2. The learned counsel for the petitioner submits that this writ petition has been filed challenging the inaction of the 3rd respondent in registering a crime based on the complaint of the petitioner dated 24.12.2024, 28.12.2024, 13.01.2025 and 27.01.2025.
3. Considering the submissions of the leaned counsel for the petitioner, this Court deems it appropriate to dispose off the writ petition, directing the 3rd respondent to conduct preliminary enquiry as contemplated under section 173(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, insofar as the complaint of the petitioner is concerned.
4. Accordingly, the writ petition is disposed off at the stage of admission.
No costs.
5. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

//TRUE COPY//

Sd/- J. SAROJA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Home Department, Secretariat, Velagapudi, Am.aravati, Guntur District.
2. The Superintendent of Police, Eluru, Eluru District.
3. The Station House Officer, II Town Police Station, Eluru Eluru District.

4. Smt Dubbireddy Jau Harika, W/o Ganta Bhanu Kiran Age 34 years caste kapu velma D.No. 28-1-136 3rd Road, Shanthi Nagar, Eluru.
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6. Sri Ganta Ram Mohan Rao, S/o Anjaneynlu alias Mohan Kumar Age 65 years caste kapu velma D.No. 28-1-136, 3rd Road, Shanthi Nagar, Eluru.
7. One CC to SRI. VINODIN RUTH MADAPALLI, Advocate [OPUC]
8. Two CCs to GP FOR HOME, High Court of Andhra Pradesh. [OUT]
9. Three C.D.Copies

nm

HIGH COURT

DATED:19/03/2025

ORDER

WP.No.6799 of 2025



DISPOSING OF THE WP WITHOUT COSTS