

**HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

MONDAY, THE TWENTY THIRD DAY OF DECEMBER  
TWO THOUSAND AND TWENTY FOUR

**PRESENT**

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE  
AND**

**THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO**

**WRIT APPEAL NO: 1112 OF 2024**

Writ Appeal under clause 15 of the Letters Patent preferred against the Order dated 08-07-2024 in W.P.No.17589 of 2024, on the file of the High Court.

**Between:**

Putta Sudhkar Reddy, S/o Jaipal Reddy, aged about 40 years, Occ ; Agriculture, R/o Parada Village, Kantangoor Mandal, Nalgonda District.

**.....APPELLANT/PETITIONER**

**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat, Secretariat Building, Hyderabad.
2. The Director General of Police, Telangana State, Hyderabad.
3. The Superintendent of Police, Nalgonda, Nalgonda District.
4. The Deputy Superintendent of Police, Nalgonda, Nalgonda District.
5. The Station House Officer, Katangoor Police Station, Katangoor Mandal, Nalgonda District.
6. Putta Yeshwanth Reddy, S/o Srinivas Reddy, Aged about 28 years, Occ. Pvt, Employee, R/o Parada Village, Katangoor Mandal, Nalgonda District.
7. Putta Shivadhar Reddy, S/o Raji Reddy, Aged about 26 years, Occ. Pvt Employee, R/o Parada Village, Katangoor Mandal, Nalgonda District.
8. Putta Venugopal Reddy, S/o Shishupal Reddy, Aged about 35 years, Occ. Pvt. Employee, R/o Parada Village, Katangoor Mandal, Nalgonda District.
9. Putta Raji Reddy, S/o Linga Reddy, Aged about 52 years, Occ. Agriculture, R/o Parada Village, Katangoor Mandal, Nalgonda District.
10. Putta Mohan Reddy, S/o Linga Reddy, Aged about 54 years, Occ. Agricultural, R/o Parada Village, Katangoor Mandal, Nalgonda District.

11. Putta Aruna, W/o Raji Reddy, Aged about 48 years, Occ. Agriculture, R/o Parada Village, Katangoor Mandal, Nalgonda District.
12. Putta Munni, D/o Raji Reddy, Aged about 22 years, Occ. Pvt. Employee, R/o Parada Village, Katangoor Mandal, Nalgonda District.
13. Nimannagottu Ramesh, S/o Balaiah, Aged about 40 years, Occ. Driver, R/o Parada Village, Katangoor Mandal, Nalgonda District.

.....RESPONDENTS/RESPONDENTS

**I.A.NO:2 OF 2024**

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 respondent No.4 to follow provisions of U/Sec.154(3) of Criminal Procedure Code, basing on the complaint dated 26.10.2023 lodged by the petitioner, and to take necessary action against the respondent No.6 to 13, to register the FIR against them pending disposal of the writ appeal.

**Counsel for Appellant : SRI K.SAI TEJA, ADVOCATE FOR SRI RAPOLU BHASKAR**

**Counsel for Respondent Nos.1 to 5 : SRI MAHESH RAJE, GP FOR HOME**

**Counsel for Respondent Nos.6 to 13 : --**

**The Court made the following ORDER**

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE**

**AND**

**THE HON'BLE SRI JUSTICE J.SREENIVAS RAO**

**WRIT APPEAL No.1112 of 2024**

**JUDGMENT:** *(Per the Hon'ble the Chief Justice Alok Aradhe)*

Mr. K.Sai Teja, learned counsel representing Mr. Rapolu Bhaskar, learned counsel for the appellant.

Mr. Mahesh Raje, learned Government Pleader for Home for respondent Nos.1 to 5.

None for the unofficial respondents though served.

2. This intra court appeal is filed against an order dated 08.07.2024 passed by the learned Single Judge in W.P.No.17589 of 2024, by which writ petition preferred by the appellant has been disposed of.

3. Facts giving rise to filing of this appeal briefly stated are that the appellant had submitted a compliant on 26.10.2023 against unofficial respondents to Station House Officer, Kantangoor Police Station, Kantangoor Mandal, Nalgonda District. According to the appellant, the

complaint discloses commission of a cognizable offence. However, the First Information Report was not registered. Thereupon, the appellant filed a writ petition namely W.P.No.17589 of 2024. The learned Single Judge by an order dated 08.07.2024 *inter alia* held that the dispute between the appellant and the unofficial respondents pertains to land and is civil in nature and therefore the complaint filed by the appellant was rightly closed. Being aggrieved, this intra court appeal has been filed.

4. We have considered the submissions made on both sides and have perused the record.

5. A Constitution Bench of Supreme Court in **Lalita Kumari v. Government of Uttar Pradesh**<sup>1</sup> has held that if a complaint discloses a commission of cognizable offence, the First Information Report should be registered. However, in the instant case, the dispute pertains to land and the complaint was lodged on 26.10.2023. Thereafter, merely after 11 months, the appellant filed a writ petition namely W.P.No.17589 of 2024 seeking registration of the First Information Report.

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<sup>1</sup> (2014) 2 SCC 1

6. Therefore, in the peculiar facts and circumstances of the case, it is open for the Station House Officer, Kantangoor Police Station, Kantangoor Mandal, Nalgonda District to conduct a preliminary enquiry with regard to the nature of the offence and depending upon the nature of the preliminary enquiry, it will be open for the Station House Officer, Kantangoor Police Station, Kantangoor Mandal, Nalgonda District to register the First Information Report. It is made clear that this Court has not expressed any opinion on merits of the case of the parties.

7. Accordingly, the Writ Appeal is disposed of.

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

Sd/-B.SATYAVATHI  
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Home Department, Secretariat, Secretariat Building, State of Telangana at Hyderabad.
2. The Director General of Police, Telangana State, Hyderabad.
3. The Superintendent of Police, Nalgonda, Nalgonda District.
4. The Deputy Superintendent of Police, Nalgonda, Nalgonda District.
5. The Station House Officer, Kantangoor Police Station, Kantangoor Mandal, Nalgonda District.
6. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad. [OUT]
7. One CC to SRI RAPOLU BHASKAR, Advocate [OPUC]
8. Two CD Copies

SA

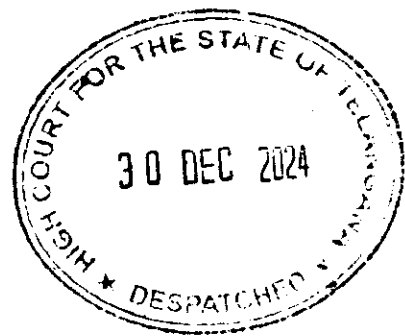


**HIGH COURT**

**DATED:23/12/2024**

**JUDGMENT**

**WA.No.1112 of 2024**



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

11  
26/12/24  
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