

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

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WRIT PETITION No.31693 OF 2011

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Between:

Smt. B. Padma

.. Petitioner

And

Commissioner of Police, Cyberabad,
R.R. District, and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 21-07-2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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|---|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Lordship wish to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.31693 of 2011

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ORDER:

The grievance of the petitioner in this case was that the police
authorities were inactive in Crime No.136 of 2011 on the file of Uppal

Police Station, Cyberabad. Consequential direction was sought to the Commissioner of Police, Cyberabad, R.R. District, to initiate action against the 3rd respondent, including penal action for distortion/obliteration of evidence and for harboring the accused.

This writ petition was admitted on 03.12.2011 and the learned counsel for the petitioner was permitted to take out notice by registered post with acknowledgment due to the 3rd respondent. The 3rd respondent is the Inspector of Police, Uppal Police Station, impleaded by name.

The record however reflects that notice was not served on the respondents and the learned counsel for the petitioner failed to file proof of service insofar as the 3rd respondent is concerned.

The learned Assistant Government Pleader for Home informed this Court that upon due investigation in Crime No.136 of 2011 which was registered under Sections 302 and 201 I.P.C., a final report was filed under Section 173 Cr.P.C. on 30.03.2013 before the learned III Metropolitan Magistrate, Cyberabad, at L.B. Nagar, referring the case as undetected. A copy of the said final report is also produced.

In the light of the afore-stated developments, it is for the petitioner to take recourse to appropriate remedies available in law if she is aggrieved by the final conclusion arrived at by the police authorities in relation to her complaint. Insofar as the allegations against the 3rd respondent are concerned, as the petitioner failed to serve notice upon the said respondent despite passage of four years, the writ petition must necessarily fail on that ground.

The writ petition is therefore dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

21st July, 2015

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