

**THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR**

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**WP No. 39469 of 2014**

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Date of Judgment: 20.1.2015

Between:

Smt. Vasam Tulasamma

...Petitioner

And

The State of Telangana and others

..Respondents

**THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR**

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**ORDER:**

Heard learned counsel for the parties.

The petitioner states that on her complaint, the 2<sup>nd</sup> respondent had called for a report from 3<sup>rd</sup> respondent and since no action was taken, she earlier filed W.P.No. 29200 of 2014, which was disposed of by this Court on 20.10.2014 giving liberty to her to approach the 2<sup>nd</sup> respondent and seek appropriate orders.

Accordingly the petitioner approached the 2<sup>nd</sup> respondent and filed a complaint dated 14.11.2014. The present writ petition is filed alleging that the 2<sup>nd</sup> respondent is not taking any action on her complaint, dated 14.11.2014.

Learned Government Pleader for Home has produced a copy of the report dated 23.11.2014 submitted by the Sub-Divisional Police Officer, Nalgonda which shows that the petitioner has already filed a complaint under Section 138 of the Negotiable Instruments Act against the 4<sup>th</sup> respondent on the allegation that cheques issued by him towards payment of rents were bounced back and the said case is pending in the Court of the Special Judicial First Class Magistrate (Prohibition & Excise Offences), Nalgonda which also issued a warrant of arrest against the 4<sup>th</sup> respondent and appointed an advocate-commissioner to execute the said warrant. The learned Government Pleader for Home, on instructions from 3<sup>rd</sup> respondent, submits that so far as the allegation of the petitioner that she was attacked by the 4<sup>th</sup> respondent on 2.11.2014 night at Padma Vamshi Lodge, LB Nagar, Hyderabad is concerned, it is stated that the place of offence falls within the territorial jurisdiction of Hayathnagar police station and as such the respondents 2 and 3 have no concern with the said incident.

It is, therefore, evident that so far as the grievance of the petitioner regarding non-execution of warrant against the 4<sup>th</sup> respondent in C.C.No. 490 of 2008 is concerned, the Magistrate concerned is seized of the matter and so far as the petitioner's allegation of attack on her by the 4<sup>th</sup> respondent on 2.11.2008 is concerned, the same falls within the territorial jurisdiction of Hayathnagar police station. Hence none of the respondents 2 and 3 could have acted in any manner except closing the petitioner's complaint. For these reasons, I do not find any reason to entertain this writ petition which is accordingly dismissed. Miscellaneous applications, if any, shall stand closed. No order as to costs.

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VILAS V. AFZULPURKAR, J

Dt. 20.1.2015  
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