

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

WRIT PETITION NO.34270 OF 2011

Between:

Smt.S.Swarnalatha

.. Petitioner

and

State of Andhra Pradesh, rep. by its
Principal Secretary, Home Department,
Secretariat Buildings, Hyderabad,
And others.

.. Respondents

DATE OF JUDGMENT PRONOUNCEMENT
2015

: 28th JULY,

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE SANJAY KUMAR

1. Whether Reporters of Local newspapers
may be allowed to see the judgment?

Yes/No

- | | | |
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| 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

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WRIT PETITION NO.34270 OF 2011

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ORDER

This writ petition was filed assailing the action of the police authorities in not considering the petitioner's representations and written complaints dated 16.05.2011, 27.08.2011, 09.09.2011 and 09.11.2011. By the aforesaid representations and complaints, the petitioner asked the police authorities to take action against the fifth respondent herein.

The petitioner and the fifth respondent set up rival claims that they were married to late S.Deva Bhushanam, who was an employee in the Social Welfare Department of the State. The petitioner claims that she is the sole legally wedded wife and that the fifth respondent procured a family member certificate wrongfully so as to lay a claim to the terminal benefits payable to S.Deva Bhushanam. It is in this context that she made complaints and representations to the police authorities alleging that the wrongful actions of the fifth respondent warranted suitable action in criminal law.

Relying on the written instructions dated 24.07.2015 furnished by the Sub-Inspector of Police, Railway Kodur Police Station, Kadapa District, the learned Assistant Government Pleader for Home, informed this Court that upon the complaint made by the petitioner to the Superintendent of Police, Kadapa, which was endorsed to the Circle

Inspector of Police, Railway Kodur Police Station, Kadapa District, for necessary enquiry, the Inspector of Police, Railway Kodur, Kadapa, conducted a preliminary enquiry. During the course of the enquiry, the police authorities found that the fifth respondent was the first wife, while the petitioner was the second wife of late S.Deva Bhushanam. The fifth respondent was stated to have approached the District Collector, Kadapa, in relation to the same grievance that is now being put-forth by the petitioner and the petitioner also submitted a similar petition before the District Collector. On considering the same, the District Collector, Kadapa District, was stated to have advised both the parties to settle their disputes through civil process. A copy of the letter dated 21.10.2011 addressed by the Inspector of Police, Railway Kodur, Kadapa District, to the Superintendent of Police, Kadapa, which speaks to the same effect, is placed on record.

In the light of the aforestated developments, it is clear that the allegation of the petitioner that the police were inactive upon her representations and complaints is without basis. Having considered the same on merits, the authorities opined that the issue had to be settled by the competent civil Court.

In that view of the matter, the writ petition is dismissed leaving it open to the petitioner and the fifth respondent to seek redressal of their grievances *inter se* before the competent forum in accordance with law.

Pending miscellaneous petitions shall stand dismissed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

28th JULY, 2015
PGS