

THE HON'BLE SRI JUSTICE A.V. SETHA SAI

WRIT PETITION No.27394 of 2015

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue writ of Mandamus to declare the action of the respondents 2 and 3 in not taking any action on the complaint dt.30-6- 2015 made by the petitioner against the 4th respondent as wholly illegal, arbitrary and contrary to the provisions of Cr.P.C., and consequently direct the respondents 2 and 3 to take appropriate action on the complaint dt.30-6-2015 by registering a crime against the 4th respondent in the interest of justice.”

Heard Sri K. Venkatesh, learned counsel for the petitioner and learned Government Pleader for Home for respondents, apart from perusing the material available before this Court.

Today, when the matter is called, written instructions, dated 14-09-2015 furnished by the Sub-Inspector of Police, Nellore I Town Police Station, SPSR Nellore District have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

“It is respectfully submitted that the petitioner J. Meera Babu filed his complaint through register post stating that he is doing a small business of repairing Gas stoves and selling spare parts. He is having money transactions with

Sri Srinivasulu /4th respondent about 3 years back. On

21-01-2014 he addressed a letter to the 4th respondent to return the blank cheque pertaining IDBI or HDFC Bank and thereafter on 07-02-2014 he issued lawyer notice to the said Srinivasulu. In spite of that the 4th respondent filed a complaint before the Additional Judicial Magistrate of First Class Court in C.C.No.277/2015 by forging the signatures of the petitioner, hence requested to take necessary action.

After receiving the same the respondent police made G.D. entry and advised the petitioner to settle matter before the Competent Civil Court as the matter is pending before the Civil Court.”

On noticing the above said instructions, learned counsel for the petitioner has requested this Court to record the said instructions and dispose of the writ petition with further liberty to the petitioner to avail the alternative remedies available to him, as per law.

In view of the above, the writ petition stands disposed of, by recording the written instructions, dated 14-09-2015 furnished by the Sub-Inspector of Police, Nellore I Town Police Station, SPSR Nellore District and with a liberty to the petitioner to avail the alternative remedies available to him, as per law.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. There shall be no order as to costs.

A.V. SETHA SAI, J

September 30, 2015

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