

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD

For the State of Telangana and the State of Andhra Pradesh

W.P.NO:20839 of 2015

Between:

Thapa Nagaraju

.. Petitioner(s)

And

The Superintendent of Police Kadapa District, Kadapa and others

.. Respondent(s)

DATE OF JUDGMENT PRONOUNCED: 11.8.2015

SUBMITTED FOR APPROVAL:

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

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

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

W.P.No.20839 of 2015

O R D E R:

This writ petition is filed under Article 226 of the Constitution of India for the following relief –

“ For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased issue a Writ, Order, or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondents in registering the crime pursuant to the petitioner's complaint made before the 2nd respondent, dated 8.6.2015 and the same is endorsed by the 1st respondent on 15.6.2015, as illegal, arbitrary and violative of Article 14 of the Constitution of India and consequently direct the respondents to register the crime and investigate

the complaint launched by the petitioner, and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

When the matter is taken up for consideration, written instructions dated 13.7.2015 furnished by the Sub-Inspector of Police, Rajupalem Police Station, Kadapa District has been placed on record by the learned Government Pleader for Home and the relevant portion of the same reads as under :

" It is respectfully submitted that one Thapa Nagaraju/the petitioner herein lodged complaint by him before SP Kadapa on 15.6.2015 and the same was received with endorsement of SP Kadapa on 23.6.2015 to take necessary action as per law, perused the contents of the petition and as the contents are relates with documental transactions I summoned the petitioner with intent to enquire him in person, on that the petitioner approached the Rajupalem PS on 9.7.2015 and lodged his complaint which runs as under.

The complainant T.Nagaraju Proddatur town came to PS and lodged a complaint that on 2.8.2006 he took an amount of Rs.25000-00 from K. Lakshmireddy of Parlapadu village and he get written a promissory note with name of his son K.Vijayabhaskarareddy, later he paid the amounts of Rs.4500=00 in the year 2007, 2008 and 2009 continuously under acknowledgement on the back of the said promissory note. Further on 7.2.2015 he took an amount of Rs.60,000/- from said Lakshmireddy and executed the promissory note with the name of his daughter-in-law Lakshminarasamma and paid interest Rs.10,800-00 per annum for the years 2007,2008, and 2009. Later, in the year 2012, he cleared the total due to K. Lakshmirddy by taking loan from a bank and asked Lakshmireddy to return his promissory notes, but said Lakshmireddy not returned his bonds saying that the bonds were with his son Vijayabhaskarareddy and he would destroy the said time barred pro-notes by taking from his son. But on 13.1.2013 the said Lakshmireddy came to his house and abused him in filthy tongue and warned him that he would get auctioned his house. Hence he lodged a complaint in Proddatur II Town PS vide Cr.No.50/2013 but was referred as false by Police. Further the accused Vijayabhaskarareddy created fake entries by forging his signatures with the dates 28.9.2010 and filed a suit against him vide O.S.Nos.12-13/2013 on the file of Hon'ble Junior Civil Judge, Proddatur and he contested the said matter. During the trial, the Hon'ble Court got compared the signatures found on the bonds and it was proved that the accused forged his signatures and subsequently the said OS case was ended in acquittal against him, but the accused attached his house to the above case and propagated tam-tam in the locality and thereby insulted him. The complainant further requested to take action against the accused who tried to implicate him in a false case by forging his signatures.

In this connection I registered a case in Cr.No.106/2015 u/s468, 471, 420 r/w 34IPC of Rajupalm PS and took up investigation, and the investigation is going on, hence the allegations against the respondent police are false and baseless, hence denied."

Noticing the said instructions, learned counsel for the petitioner requests to dispose of the writ petition by recording the above written instructions dated 13.7.2015.

In view of the above, the writ petition stands disposed of by recording the above

written instructions dated 13.7.2015 furnished by the Sub-Inspector of Police, Rajupalem Police Station, Kadapa District. Miscellaneous applications, if any pending in the writ petition, shall stand closed. No costs.

A.V.SESHA SAI, J _____

Date:11.8.2015
kk

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

W.P.No.20839 of 2015

11.8.2015