

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

WRIT PETITION No.25788 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 failing to register the complaint submitted by the petitioner dated 3-6-2015 and not taking any action against the accused and not investigating the matter by providing protection is illegal, arbitrary, unconstitutional and violative of Article 21 of the Constitution of India and consequently, direct the respondents 2 and 3 to register the complaint of the petitioner submitted dated 3-6-2015 and to take further steps against the named accused by apprehending the accused and to take up investigation in accordance with law.”

Heard Sri K.R. Shantaram, 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 19-08-2015 furnished by the Sub-Inspector of Police, Ramudugu Police Station, Karimnagar District have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

“It is submitted that the petitioner herein had lodged a complaint on 3.6.2015 with the Station House Officer, Ramadugu Police Station, Karimnagar District, stating that on 3.6.2015 the complainant's neighbours by name Bathinei Satyanarayana and Bathineni Ajay came to the petitioner herein with drunken state and abused in filthy language, beat the complainant, his mother and wife with hands. The petitioner requested the police to take necessary action. The copy of the complaint is enclosed herewith.

It is submitted that pursuant to the said complaint this respondent entered the same into the General Diary. During

the course of enquiry the contents of the complaint attracts non cognizable in nature. Hence, this respondent taking steps to file requisition before the concerned Hon'ble Magistrate to accord permission to investigate into this matter."

On noticing the above said instructions, it is requested by the learned counsel for the petitioner to dispose of the writ petition by recording the said instructions and by keeping it open to the petitioner herein to avail the remedies available to him under the Cr.P.C., by way of filing private complaint.

Recording the said submission, the writ petition stands disposed of, with a liberty as sought for and by recording the written instructions, dated 19-08-2015 furnished by the Sub-Inspector of Police, Ramudugu Police Station, Karimnagar District.

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. SESA SAI, J

August 21, 2015

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