

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

THURSDAY THE TWENTYSEVENTH DAY OF AUGUST
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 25532 OF 2015

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Between:

Muttoju Padma @ Mangamma ... Petitioner

V/s.

The State of Telangana
Rep.by its Prl. Secretary
Home Department, Secretariat,
Hyderabad & Ors. ... Respondents

Counsel for the Petitioner: Sri S.Sreenivas Sarma

Counsel for the Respondents: GP for Home [TG]

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 25532 OF 2015

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ORDER:

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

“To declare the action of the second respondent in not registering the case basing upon the complaint dated 01/7/2015 made by the petitioner against the third respondent as illegal, arbitrary and violation of Article 14, 16 and 21 of the Constitution of India and provisions of Criminal Procedure Code and consequently to direct the second respondent to register the crime against the third respondent forthwith and to pass such other suitable orders as this court may deems fit and proper in the circumstances of the case.”

2. When the matter is called, written instructions dated 26/8/2015 furnished by the Sub-Inspector of Police, Chilakalguda, Hyderabad city have been placed by the learned Government Pleader for Home.

3. The written instructions, reads as under:

“ It is submitted that it is true that the petitioner herein has preferred a complaint on 01/7/2015 to this respondent. Immediately after receipt of complaint from the petitioner, a GD entry in the Police Station was made and took up preliminary enquiry. After that a criminal has been registered with Cr.No.456/2015 for offences punishable under section 506, 509, 109 read with section 34 IPC and issued FIR and took up further investigation and the same is pending. After

investigation is completed and after examining all the prosecution witnesses, the charge sheet will be submitted to the competent court of law.

The allegation of the petitioner that this respondent failed to exercise his powers vested with them under law is absolutely false and incorrect. This respondent took up primary investigation and immediately after that he registered the complaint.

I submit that since a case has been registered in Cr.No.456/2015, the very purpose of filing the writ petition has been served to the petitioner and hence the writ petition becomes infructuous and deserves to be dismissed”.

4. On noticing the same, the learned counsel for the petitioner has requested this court to dispose of the writ petition by recording the said written instructions.

5. In view of the above, the writ petition is disposed of by recording the reasons mentioned in the written instruction, dated 26/8/2015. No costs.

6. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V.SESHA SAI

27/08/2015

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HONOURABLE SRI JUSTICE A.V. SETHA SAI

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