

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

-
WRIT PETITION No.27578 OF 2015
-

ORDER:

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

“to issue order or orders more particularly one in the nature of writ of mandamus declaring the inaction of the respondents herein considering the complaint dt:13-08-2015 registration of crime and protection to the life and personal liberty as illegal, arbitrary, discriminatory violation of Article 14, 19 & 21 of the constitution of India and pass such other order or orders deem fit and proper in the circumstances of the case in the interest of justice.”

2. When the matter is called today, written instructions dated 08.09.2015, furnished by the Inspector of Police, Jawaharnagar Police Station, Cyberabad, have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

“It is respectfully submitted that on receipt of the communication about the filing of the present writ petition by the petitioner herein, this respondent has thoroughly verified the records of this respondent police station as to whether any complaint dt.5.8.2015 or the complaint dt.13.8.2015 has been received purported to have been submitted by the Assistant of the petitioner herein or by the petitioner herein. The records, revealed till date no such complaints have been received in this respondent police station and hence no action was taken on them.

It is submitted that either the petitioner or his Assistant Mr.Lega Satish who submitted the representation dated 13.8.2015 in the Office of the Commissioner of Police, Cyberabad, did not approach this respondent police station as of now.

It is submitted that no communication or endorsement was also received from the Office of the Commissioner of Police, Cyberabad, through proper channel till date to take action on the representation

dt.13.8.2015 submitted by the Assistant of the petitioner herein Mr.Lega Satishigh in the Inward Section of the Commissioner of Police, Cyberabad, and hence no action was taken by this respondent.

It is humbly submitted that it is always open for the petitioner to approach this respondent and to lodge any fresh complaint or the complaint dt.5.8.2015 or 13.8.2015, certainly action will be taken after conducting preliminary enquiry into the matter.

It is humbly submitted that if any endorsement was received from the Office of the Commissioner of Police, Cyberabad, certainly this respondent will take action on the representation dt.13.8.2015 and this respondent will intimate the result of the representation to the writ petitioner herein.

With regard to the protection is concerned, it is submitted that even though the petitioner made allegations against the persons from whom he has been facing alleged threat not made them as proper party respondents to this writ petition. If the petitioner make them as party respondents, the real facts would have come to light.

It is submitted that the allegation of the petitioner that against the criminal act, lodged a complaint before the 2nd respondent herein seeking immediate action of registration of crime against the assailants who came from Vijayawada in a vehicle a created a havoc and threatening and initially the police have taken up the complaint but not register the crime and slowly postponed the matter and finally failed to register the crime of cognizable nature is absolutely false, baseless and hence denied.

I humbly pray this Hon'ble Court to issue directions to the petitioner to approach this respondent police station and to submit any fresh representation or the earlier representation dt.13.8.2015, certainly action will be taken by this respondent without any delay."

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

4. In view of the above, writ petition stands disposed of, by recording the written instructions dated 08.09.2015, furnished by the Inspector of Police, Jawaharnagar Police Station, Cyberabad.

5. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

16th September, 2015

ss