

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

WRIT PETITION No.21654 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 inaction of the respondents in giving the postmortem report in FM No.589/2014 dated 22-07-2014 in relation to FIR No. 97/14 dated 27-06-2014 on the file of Pullampet Police Station, Kadapa as arbitrary and violative of Article 14 and 21 of the Constitution.”

Heard Sri P. Vikram, 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 29-07-2015 furnished by the Sub-Inspector of Police, Pullampet Police Station, Kadapa 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 one Venkata Narasaiah/petitioner herein approached police station on 27.06.2014 lodged complaint against one Dr. Sunanda Kumar Reddi stating that his son met with an accident on 19.06.2014 near petrol bunk, Appaiahrajupeta village, Pullam Peta Mandal by a unknown motor cycle bearing was dashed against his motor cycle. Hence the son of the petitioner sustained broken injuries on his left hand and left leg. Then he was shifted to Jagan Mohan Hospital Rajampet and after taking first aid he was shifted to Prasanihi Private Hospital Tirupathi for treatment, while getting operation to the deceased the Dr. Sunanda Kumar Reddi getting operation to the petitioner's son and he gone coma, shifter to Mother hospital, thereafter Appolo Hospital Chennai for better treatment and again he was shifted to SVIMS Hospital Tirupathi and there he was died on 26.06.2014, hence requested to take necessary

action.

Basing on the complaint a case in Cr. No. 97 2014 was registered U/Sec.304A IPC of Puliampet police station. The investigation office took up the investigation. During the course of investigation 7 witnesses were examined and recorded their statements. It is further submitted that the investigation is not yet completed. It is further submitted that the RFSL report yet to be received. After receiving the RFSL report the respondent police will take steps to complete the investigation by arresting the accused and file final report as per Law.

It is also submitted that now the petitioner asking to furnish the complete post mortem report. Hence the respondent police take steps as per law to furnish the post mortem report as early as possible.

The respondent police will abide the directions if any passed by this Hon'ble Court."

On noticing the above said instructions, it is requested by the learned counsel for the petitioner that necessary direction may be issued to the respondent authorities to complete the investigation.

In view of the above, the writ petition stands disposed of, directing the respondent authorities to complete the investigation as early as possible and also consider the request of the petitioner herein, in accordance with law.

Miscellaneous Petitions pending, if any, shall stand closed.
There shall be no order as to costs.

A.V. SETHA SAI, J

August 17, 2015

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