

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

PRESENT

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT APPEAL No.251 OF 2015

DATED: 26.03.2015

Between:

M. Santosh and another

... Appellants

and

State of Telangana and others

... Respondents

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT APPEAL No.251 of 2015

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JUDGMENT: (per the Hon'ble The Chief Justice Sri Kalyan Jyoti Sengupta)

This Writ Appeal is sought to be preferred against judgment and order of the learned Single Judge dated 25.02.2015, by which, His Lordship has been pleased to dispose of the Writ Petition giving liberty to the writ petitioners to prosecute the vacate stay petition before another learned Single Judge.

The grievance of the writ petitioners, if we look at the prayer of the petition, is that in spite of lodging First Information Report No.375 of 2014, dated 27.08.2014, the police concerned is not investigating into the same. In our view, going by the body of the petition, we can simply endorse what His Lordship has found. It would not be improper if we add that the Writ Petition is frivolous, on the given facts disclosed therein, and sheer abuse of process of the Court. We want to add further more, the accused rightly or wrongly moved an application for quashing of the First Information Report and the learned Single Judge of this Court entertained, heard the same and passed an interim order in that matter. In view of this situation, the only course of action left to the writ petitioners is to approach that Court and that Court alone, but we fail to understand why the writ petitioners filed this appeal to get a separate order from this Court.

Therefore, this Writ Appeal is equally frivolous and is dismissed accordingly, without prejudice to the rights of the parties to take steps in accordance with law, as may be advised.

Consequently, miscellaneous petitions, if any pending, shall stand closed. No order as to costs.

K.J. SENGUPTA, CJ

26th MARCH, 2015.

SANJAY KUMAR, J

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