

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

WRIT PETITION No.25687 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 police in not taking action on the representation of the petitioner dt.04-07-2015 as illegal, arbitrary and violative of Principles of natural justice.”

Heard Sri E. Shanthasree, 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 25-08-2015 furnished by the Asst. Sub-Inspector of Police, T.V. Palli Police Station, Prakasam 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 the one Nagella Venkata Subba Rao / the petitioner herein stated that the mother of the petitioner left her husband's house along with her son due to her husbands and his brothers unbearable harassment and started living separately along with her parents. After knowing about his father the petitioner shifted to his father's resident and started living along with his father and used to help his father in agricultural field at his property and they both used to do cultivation. Even after his marriage he lived with his father and he also having two children. In the 2013 when the petitioner herein wanted to take his father to Guntur Government Hospital for better treatment, before that his uncles (brothers of the petitioner father) N. Chinni Subbaiah, N. Bala Subbaiah. N.Koteswara Rao took the petitioner's father and admitted him to Guntur Government Hospital, when the petitioner herein asked why did they admit his father without intimating him, hence they abused him with filthy language stating that he did not belong to N. Subbaiah, and

quarrel with him. And they also harassing the petitioner's family with dire consequence and trying to trespass his house.

It is respectfully submitted that as of now the respondent police did not received any compliant from the petitioner/Nagella Venkata Subba rao on 04-07-2015.

It is further submitted that as and when the petitioner approaches police station for registering the complaint, the respondent police will take steps to register the case as per Law."

On noticing the above said instructions, it is submitted by the learned counsel for the petitioner that the petitioner herein will submit complaint afresh and the respondent police authorities may be directed to take appropriate action the on the said complaint.

In view of the above submission, the writ petition stands disposed of, keeping it open for the petitioner herein to submit a complaint to the respondent – police authorities and if any such complaint is submitted by the petitioner herein, same be considered and appropriate action be taken, in accordance with law, by the respondent police authorities.

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

A.V. SETHA SAI, J

August 31, 2015

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