

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

MONDAY THE TWENTYTHIRD DAY OF NOVEMBER
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 12888 OF 2012

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Between:

Vankina Chamudeswara Nath ... Petitioner

Vs.

The State of Andhra Pradesh

Rep.by its Prl. Secretary,

Home Department, Secretariat,

Hyderabad & Anr. ... Respondents

Counsel for the Petitioner: Sri S. Bharath Kumar

Counsel for the Respondents: GP for Home

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SETHA SAI

WRIT PETITION NO. 12888 OF 2012

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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 Respondent No.2 in not conducting the investigation as per the procedural law is improper, arbitrary, unconstitutional and to direct Respondent No.2 to take into consideration all the facts and circumstances narrated in the complaint in Crime No. 710/2009 for the offences punishable under sections 506 and 507 IPC and also various facts and instances narrated in the affidavit for investigating the offence and thereafter to file a charge sheet under section 172 Cr.P.C. before the competent court of law for further steps else the petitioner will be put to

irreparable loss and damage and to pass such suitable orders as this court deems fit and proper in the circumstances of the case.”

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2. Heard Sri S.Bharat Kumar, learned counsel for the petitioner and the learned Government Pleader for respondents.

3. A counter-affidavit is filed by the Additional Inspector of Police, Banjara Hills Police Station, Hyderabad. In the said counter-affidavit at para No.5 it is stated that as there is no evidence adduced in the course of investigation that the accused had committed offences punishable under sections 506 and 507 of IPC although sufficient opportunity was provided to the petitioner to produce the documentary evidence he failed to produce the same and hence the complaint of the petitioner was referred as ‘lack of evidence’ and filed final report on 05/5/2012.

4. In view of the above, this court finds that nothing remains for adjudication in this writ petition.

5. In view of the above, the writ petition is closed. No costs.

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

JUSTICE A.V.SESHA SAI

23/11/2015

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HONOURABLE SRI JUSTICE A.V. SETHA SAI

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Date: 23/11/2015

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Court Master: I s L

