

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

WRIT PETITION No.17208 of 2009

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 action of the respondents in interfering with the personal life of the Petitioner though he has not involved in any crimes whatsoever and directing him to appear before them under the guise of a rowdy sheet alleged to have opened against him and further directing the Petitioner to appear before the Mandal Executive Magistrate and execute bonds to maintain peace and tranquility in the Rayavaram Village as illegal, arbitrary, highhanded and violative of article 21 of the Constitution of India and consequently direct the Respondents not to interfere in the personal life of the Petitioner herein."

Today, when the matter is called, written instructions, dated 23-01-2015 furnished by the Station House Officer, Rayavaram Police Station, East Godavari 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 Nalamilli Radha Krishna Reddy who is the petitioner involved in civil disputes regarding that a crime was registered in Cr.No.38/1998 U/Sec.353, 352 r/w.34 IPC was registered at Rayavaram Police Station on that crime the petitioner herein was (A2) was sentenced to suffer RI for 3 months and fined Rs.500/- by Hon'ble AJFCM, Ramachandrapuram on 21-07-2003.

It is respectfully submitted that he is the petitioner herein running a club illegally in the terraced building in Tulyabaga Drain of Rayavaram village without any license and threatened public with dire consequences, hence a case was registered in Cr.No.60/2006 U/Sec.3 & 4 of A.P. Gamming Act (the Cr.No.60/2006 was acquittal on 13-10-2010 vide C.C.No.242/2007)

It is further submitted that while the petitioner herein was involved in the above cases the Superintendent of Police, East Godavari District issued orders to the SDPO to open rowdy sheet against the Radha Krishna who is the petitioner and as per the orders a rowdy sheet was opened on 12-09-2006 and same was continued till today because his movements were not yet changed and when police visited his house he not present, and he is living at Hyderabad since one year, hence the rowdy sheet was continued.

If any orders received from the concerned authorities the respondent police will act according to law.”

On noticing the above written instructions, it is requested by learned counsel for the petitioner that the writ petition can be closed recording the said instructions and keeping it open for the petitioner herein to assail the rowdy sheet.

In view of the above submission, the writ petition stands disposed of, by recording the written instructions dated 23-01-2015 furnished by the Station House Officer, Rayavaram Police Station, East Godavari District and keeping it open for the petitioner herein to assail the rowdy sheet said to have been opened by the police against him.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. There shall be no order as to costs.

A.V. SESA SAI, J

December 11, 2015

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December 11, 2015

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