

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.19629 OF 2011

DATED: 08.06.2015

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Between:

D. Rukmini and another

.. Petitioners

And

The Government of Andhra Pradesh,

Rep. by its Principal Secretary to Home Department,

and others.

.. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.19629 of 2011

ORDER:

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The petitioners complain that the police authorities made a misrepresentation before this Court with regard to receipt of their representation dated 05.05.2011 and seek a consequential direction to the police authorities to take action pursuant to F.I.R.No.572 of 2010 and the representation dated 05.05.2011.

It appears that the petitioners earlier approached this Court by way of W.P.No.16504 of 2011 aggrieved by the inaction on the part of the police authorities in investigating the crime registered under F.I.R.No.572 of 2010 on the file of the Shameerpet Police Station, Alwal, Ranga Reddy District. The said writ petition was disposed of on 23.06.2011 taking note of the submission made by the police

authorities that they have not received the representation dated 05.05.2011 and directing the petitioners to file a fresh representation before the Station House Officer, Shameerpet Police Station, who was asked to consider the same and take appropriate action in accordance with law.

Sri Mohd. Asifuddin, learned counsel for the petitioners, would assert that the representation made before this Court that the police authorities had not received the representation dated 05.05.2011 was factually incorrect. He placed before this Court a copy of the acknowledgment furnished by Professional Couriers bearing the stamp of the Station House Officer, Cyberabad Police Station.

This Court is not inclined to enter into this petty factual dispute. To begin with, the police station mentioned in the earlier case was the Shameerpet Police Station and not the Cyberabad Police Station. That apart, the petitioners suffered a direction in W.P.No.16504 of 2011 whereby they were required to file a fresh representation before the Station House Officer, Shameerpet Police Station.

Basing on the written instructions received from the Station House Officer, Alwal Police Station, the learned Assistant Government Pleader for Home stated that the petitioners, having lodged their complaint on the basis of which Crime No.572 of 2010 had been registered on the file of the Alwal Police Station, did not co-operate thereafter and owing to the same, the police authorities were unable to proceed with the investigation. He further stated that the Alwal police authorities contacted the 1st petitioner over phone and she did not turn up at the police station though she promised to do so. Learned Assistant Government Pleader further stated that the police authorities had visited the complainant's address at Tirumalagiri in Ramakrishnapuram, Secunderabad, but came to know that her whereabouts were unknown.

The learned Assistant Government Pleader for Home informed the Court that Alwal Police Station and Shameerpet Police Station are two different police stations. Crime No.572 of 2010 was registered on the complaint made by the petitioners herein on the file of the Alwal Police Station, Cyberabad Commissionerate. That being so, this Court is at a loss to understand as to why the Shameerpet Police Station was made a party in the earlier writ petition in W.P.No.16504 of 2011. In any event, unless the petitioners co-operate with the police authorities and give necessary evidence and documents, the police authorities would not be in a position

to continue the investigation into the alleged crime. Having suffered a direction as long back as in the year 2011 in W.P.No.16504 of 2011, the petitioners seem to have slept over the same and did not furnish a fresh representation to the police authorities concerned.

The writ petition is therefore disposed of permitting the petitioners to make a fresh representation, supported by necessary documents, to the police authorities concerned whereupon necessary action will be taken by them in accordance with the due procedure.

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

JUSTICE SANJAY KUMAR

8th June, 2015

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