

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.6253 of 2011

ORDER:

1. This writ petition was filed for the following relief:

“A Writ of Mandamus may be issued declaring the action of the 2nd respondent in issuing proceedings in L.Dis.No.1318/A2/2010 dated 30.11.2010 and proceedings No.1318/A2/2010 dated 02.02.2011 in appointing the Additional Public Prosecutor in S.C.No.219 of 2008 as well as in C.C.No.2 of 2009 on the file of the X Additional District and Sessions Judge, Machilipatnam, Krishna District, as illegal, irregular, unfair, against the principles of natural justice and violation of procedure contemplated under Criminal Procedure Code 1973 and consequently direct the respondents to appoint Additional Public Prosecutor in C.C.No.2 of 2009 on the file of the X Additional District and Sessions Judge, Machilipatnam, Krishna District.”

2. This Court by order dated 11.03.2011, while issuing Notice Before Admission, granted interim stay, as a result of which, all further proceedings in S.C.No.219 of 2008 on the file of the Special Sessions Judge-cum-X Additional District and Sessions Judge, Machilipatnam, Krishna District, were stayed. Thereafter, a separate Court was constituted, which is XV Additional District and Sessions Court, Nuzvid, Krishna District and the case in S.C.No.219 of 2008 was transferred to that Court.

3. In view of changed circumstances and in view of continuance pendency of S.C.No.219 of 2008 by virtue of interim order passed by this Court dated 11.03.2011, the Additional Public Prosecutor of XV Additional District and Sessions Court, Nuzvid, was instructed by the Director of Prosecutions on 14.03.2016 to conduct prosecution in the aforesaid case along with other regular cases, cancelling the proceedings dated 30.11.2010. In view of the same, no further orders are required to be passed in the present writ petition.

4. The Writ Petition is accordingly dismissed as infructuous. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

17-03-2016

Gsn