

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

TUESDAY THE NINTH DAY OF FEBRUARY
TWO THOUSAND AND SIXTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SETHA SAI

WRIT PETITION NO. 11047 of 2012

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Between:

Kambhampati Gopala Rao ... Petitioner

Vs.

The Government of Andhra Pradesh
Represented by its Prl. Secretary,
Home Department, Secretariat,
Hyderabad & Ors. ... Respondents

Counsel for the Petitioner: Sri Challa Srinivas Reddy

Counsel for the Respondents: GP for Home

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SETHA SAI

WRIT PETITION NO. 11047 OF 2012

ORDER:

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This writ petition filed under Article 226 of the Constitution of India challenges the action of Respondents 2 to 5 in opening and maintaining rowdy sheet against the petitioner on the file of Amaravati Police Station, Guntur, Guntur district.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Home for the respondents.

3. According to the petitioner, Crime No. 6 of 2005 was registered in the year 2005 for the offences under section 3 (1) (v) of SCs and STs [POA] Act and section 363, 376 [g], 302 and 201 read with section 34 IPC on the file of Amaravati Police Station. It is further pleaded that the petitioner was tried in SC.No. 205 of 2006 on the file of Special Judge for trial of Cases under SCs and STs [POA] Act, Guntur and was acquitted on 18/01/2008.

4. It is also the case of the petitioner herein that there is no involvement of the petitioner in any other case subsequently and despite it the Police authorities are continuing the rowdy sheet against him. It is also stated that the petitioner made a representation on 27/02/2012 to the Superintendent of Police, Guntur, Guntur district requesting for removal of his name from the rowdy sheet and no action has been taken so far.

5. No counter affidavit is filed by the respondents disputing the averments made in the affidavit filed in support of the writ petition.

6. It is the contention of the learned counsel for the petitioner that the impugned action of the Respondent authorities in continuing the rowdy sheet against the petitioner herein is opposed to the very spirit and object of the A.P. Police Standing Orders 601.

7. Since the petitioner herein already submitted a representation on 27/02/2012, this Court is of the considered opinion that the ends of justice would be met if the writ petition is disposed of with a direction to the Superintendent of Police, Guntur, Guntur district to pass appropriate orders on the said representation in accordance with the provisions of A.P. Police Standing Orders 601.

8. For the aforesaid reasons, this writ petition is disposed of directing the second respondent-Superintendent of Police, Guntur, Guntur district to pass appropriate orders on the representation dated 27/02/2012 said to have been submitted by the petitioner in accordance with the A.P. Police Standing Orders, within a period

of one month from the date of receipt of a copy of this order. No costs.

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

JUSTICE A.V.SESHA SAI

09/02/2016
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HONOURABLE SRI JUSTICE A.V. SETHA SAI

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