

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35190 of 2014

ORDER:

This writ petition is filed for a writ of *mandamus* declaring the action of the respondents in opening and continuation of the rowdy sheet against the petitioner vide Sheet No.161 on the rolls of the 3rd respondent, as illegal and irregular, and consequently quash the same.

The case of the petitioner is that he belongs to Scheduled Caste community and used raise voice whenever caste biased activities are undertaken. In the recent Municipal Elections, he was elected as a Councillor of 6th Ward of Samarlakota Municipality. Since he is actively participating in the social service activities, his political opponents used to lodge false criminal cases for petty offences. But, he could get acquittal in all those cases. On coming to know that a rowdy sheet was opened against him on the rolls of the 3rd respondent, he approached the 3rd respondent and filed a representation, dated 30.09.2014, to close the same. But, there is no response from the 3rd respondent. Hence, the present writ petition.

The 3rd respondent filed a counter-affidavit stating that since the petitioner is indulging in the commission of lawless acts involving breach of public peace and tranquility and also number of cases were registered against him, rowdy sheet was opened against him in order to keep a close surveillance on him to maintain peace and tranquility in the area.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that the though, number of cases were registered against the petitioner, he was acquitted in all those cases by the competent Court after due trial, and therefore, opening and continuation of rowdy sheet against him is unwarranted.

Considering the facts and circumstances of the case and also taking into consideration the submissions of the learned counsel for the parties, the 3rd respondent – Sub-Divisional Police Officer, Peddapuram Sub-Division, Peddapuram, East Godavari District, is directed to consider the representation, dated 30.10.2014, submitted by the petitioner, and pass appropriate orders in accordance with law.

With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions, pending if any, shall stand closed.

October 18, 2016
KTL

RAJA ELANGO, J



