

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43713 OF 2016

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to declare the action of the 3rd respondent in not registering FIR in pursuance of the petitioner's report, dated 16.11.2016, as illegal and arbitrary and consequently, direct the 3rd respondent to forthwith register FIR in pursuance to the petitioner's report, dated 16.11.2016.

Heard and perused the material available on record.

The grievance of the petitioner is that he lodged a complaint on 16.11.2016 before the Station House Officer, Devarajupgattu Police Station, Prakasam District, against some persons for their illegal acts of fabricating the documents, forgery etc., but the 3rd respondent is not registering the case against the said persons.

The petitioner has not added the persons, against whom the case is to be registered, as parties to this writ petition. Learned counsel for the petitioner submitted that as the persons named in the complaint are not yet arrayed as accused, and hence, it is not necessary to add them as parties to the writ petition.

This court is of the view that when a petition is filed before this Court with a specific prayer to register a case against an individual or a group of persons, the names of said persons should be reflected in the cause title of the petition, otherwise this Court cannot interfere and pass any orders directing the authorities to register the FIR. Since the persons, against whom the petitioner wanted to register the FIR, are not

made as parties to this writ petition, this writ petition is not maintainable and the same is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No order as to costs. Miscellaneous petitions, pending if any, shall stand closed.

RAJA ELANGO, J

December 16, 2016.

KTL

