

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.3695 of 2015

O R D E R

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The prayer of the petitioners in this case is as under:

“For the reasons stated in the accompanying affidavit, the petitioner herein prays that this Hon'ble Court may be pleased to issue an appropriate Writ order or direction more particularly in the nature of writ of Mandamus declaring the inaction of the 4th Respondent in registering the compliant dated 14-02-2015 lodged by the 1st petitioner on the file of the I Town Police Station, Kakinada, East Godavari District against the 5th respondent as arbitrary, illegal, capricious and violative of Sec.154(2) Cr.P.C. and provisions of Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and consequently direct the Respondents 1 to 4 to register the Complaint dated 14-02-2015 lodged by 1st Petitioner against the 5th Respondent and issue receipt and investigate the matter as per law forthwith and pass such other orders as may be deemed fit and proper in the circumstances of the case.”

Though a copy of the registration slip indicating the dispatch of a communication by the petitioners to the Superintendent of Police by registered post is placed on record, the Station House Officer, Kakinada I Town Law & Order Police Station, East Godavari District, furnished written instructions dated 18.06.2015 to the office of the learned Government Pleader for Home, wherein he stated that the complaint dated 14.02.2015 lodged by the petitioners was never received by the police authorities.

In the light of the categorical denial by the police authorities of the receipt of the petitioners' complaint, the writ petition is disposed of leaving it open to the petitioners to make a fresh complaint to the police authorities, if warranted, in accordance with law. Needless to state, in the event any such complaint is made, the police authorities

are bound to act thereupon in accordance with the directions of the Constitution Bench of the Supreme Court in **Lalita Kumari v.**

Government of Uttar Pradesh^[1].

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

JUSTICE SANJAY KUMAR

29th February, 2016
PGS

^[1] (2014) 2 SCC 1