

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44477 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of mandamus declaring the action of the respondents 2 & 3 in making attempts to execute the N.B.Ws. issued against the petitioner by the II Special Magistrate, Kukatpally at Miyapur in C.C.No.182 of 2016 as arbitrary and illegal.

Heard and perused the material available on record.

The main grievance of the petitioner is that in view of pendency of N.B.Ws. issued by the II Special Magistrate, Kukatpally at Miyapur in C.C.No.182 of 2016 dated 27.9.2016, the 3rd respondent is trying to apprehend the petitioner.

While exercising the powers under Article 226 of Constitution of India, this Court is not inclined to interfere with the impugned proceedings. However, since it is the apprehension of the petitioner that he may be arrested in execution of N.B.Ws. pending against him, he is directed to appear before the II Special Magistrate, Kukatpally at Miyapur and file an application in C.C.No.182 of 2016 to recall the warrants and the Court shall consider the same and recall the warrants on condition of petitioner executing a personal bond for a sum of Rs.10,000/- with one surety with an undertaking to appear on future dates before the Court regularly.

Accordingly, the writ petition is disposed of. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

20.12.2016.
Tsr

