

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37722 of 2016

ORDER:

This Writ Petition, under Article 226 of Constitution of India, is filed seeking to declare the action of the 4th respondent in not registering the complaints, dated 08.10.2016 and 18.10.2016 and investigating into the same, as arbitrary and illegal.

2. Heard and perused the material available on record.

3. The grievance of the petitioner is that even though the complaints filed by him discloses a cognizable offence, the respondent-police failed to register the same, which is against the principles laid down in **Lalita Kumari V. Government of Uttar Pradesh**¹ and hence, prays to direct the 4th respondent to act in accordance with law.

4. Having regard to the facts and circumstances of the case and the grievance of the petitioner, the Writ Petition is disposed of directing the 4th respondent to register a case pursuant to the complaints made by the petitioner if they disclose cognizable offences by following due procedure. If there is any failure on the part of the 4th respondent in registering the case, the petitioner is at liberty to approach the superior officers and thereafter, to invoke and proceed in accordance with Section 200 Cr.P.C. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

RAJA ELANGO, J

NOVEMBER 03, 2016

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¹ (2014) 2 SCC 1

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DATE: 03.11.2016

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