

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.6993 of 2016

ORDER:

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

“...Honourable court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus, to declare the action of the Respondent as illegal and arbitrary in not taking action on the complaint dated 25.02.2016 given by the petitioner herein and consequently direct the 3rd respondent to instruct

the 4th respondent to register a Crime and investigating to the same basing on the complaint given by the petitioner herein, and to provide police protection to the property of the petitioner to the extent of Ac.4.58 cents in Sy.No.136/2, Tallavalasa Village, Bheemunipatnam Mandal, Visakhapatnam District, to call records; and pass such other order or orders as this Honourable court may deem fit and proper in the circumstances of the case.”

2. Written instructions dated 08.03.2016 were furnished by the Inspector of Police, Bheemunipatnam Police Station, Visakhapatnam City, to the office of the learned Government Pleader for Home wherein it is stated that upon the complaint made by the petitioner, Crime No.54 of 2016 had been registered on the file of Bheemunipatnam Police Station under Sections 447 and 511 IPC r/w Section 34 IPC. Investigation was stated to have commenced.

3. In that view of the matter, the prayer of the petitioner in this regard stands settled. The police authorities shall endeavour to complete the investigation in the subject Crime expeditiously.

4. Insofar as the prayer of the petitioner for police protection

is concerned, it is noticed that the injunction granted in favour of the petitioner is only an ad-interim injunction.

5. In that view of the matter, the petitioner is not entitled to seek police protection by virtue of the said order as it is not an order on merits upon due adjudication .

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

JUSTICE SANJAY KUMAR

March 10, 2016
LMV