

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40365 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the respondents in opening the rowdy sheet against the petitioner in the 4th respondent police station, as illegal and arbitrary.

Heard and perused the material available on record.

The case of the petitioner is that the petitioner worked in Police Department and resigned and joined politics and after joining politics, since there were differences between the petitioner and the present M.L.A., two false cases were registered against the petitioner in Crime Nos.53 & 54 of 2015, on the file of the Mahabubnagar Rural Police Station and that on the ground of that two criminal cases, the 4th respondent police opened a rowdy sheet. The main grievance of the petitioner is that the action of the 4th respondent police in opening a rowdy sheet against the petitioner amounts to interfering with the personal liberty and also with regard to the right of movement and that there are no criminal cases pending against the petitioner with regard to breach of peace and that the petitioner requests this Court to direct the 4th respondent police not to insist for the presence of the petitioner in the police station for signing the registers in pursuance of opening of the rowdy sheet, on the file of the 4th respondent police station.

Considering the grievance of the petitioner, the petitioner is directed to make a representation to the 5th respondent informing the relevant provisions of rules under the Police Standing Orders informing that he is not involved in any other crime except the crimes registered in Crime Nos.53 & 54 of 2015, but the 4th respondent recommended for opening of a rowdy sheet against the petitioner and on such

representation, the 5th respondent is directed to consider and dispose of the same, in accordance with law, as expeditiously as possible. Till then, the 4th respondent is directed not to call the petitioner to the police station, except on the registration of any other crime against the petitioner for cognizable offence. If the petitioner is aggrieved by the decision of the 5th respondent on his representation, he is at liberty to approach the concerned Court.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 6th December, 2016

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