

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35160 of 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus directing the second respondent to register a crime basing on the complaint of the petitioner.

Heard and perused the material.

Learned counsel for the petitioner submits that though petitioner lodged a complaint, dated 29.09.2016, the second respondent is not registering the said complaint and as such, prays this Court to direct the second respondent to register the case and conduct investigation.

Learned Assistant Government Pleader for Home (Andhra Pradesh) submits that the petitioner has not submitted any complaint before the second respondent and the second respondent will register the crime if the petitioner lodges the complaint.

Considering the rival submissions made by both the counsel, the writ petition is disposed of with a direction to the second respondent to register the complaint and conduct effective investigation and file final report, if any, in accordance with law. It is left open to the petitioner to approach the superior officer if there is any refusal by the second respondent to register the crime and the petitioner is also at liberty to file a complaint by invoking Section 200 of Code of Criminal Procedure.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

19.10.2016
pln