

**THE HON'BLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No.44629 OF 2016**

**ORDER:**

The writ petition is filed seeking a writ of mandamus declaring the action of the third respondent in not registering the complaint as per the directions of the second respondent as illegal and arbitrary, and consequently direct the third respondent to register and investigate the complaint endorsed by the second respondent on 05.07.2016.

Heard and perused the material.

Learned counsel for the petitioner submits that the petitioner lodged a complaint against his younger son alleging that he has withdrawn an amount of Rs.4,50,000/- (Rupees four lakh and fifty thousand only) from the joint account without the knowledge of the petitioner. However, the third respondent is not registering the same though there is an endorsement of the second respondent on the complaint.

Learned Assistant Government Pleader for Home (Andhra Pradesh), on instructions, submits that the investigating officer called the petitioner and his younger son, against whom the complaint is lodged, to the police station and after thorough enquiry, came to the conclusion that the said issue is of a civil nature since the complaint is lodged by the petitioner against his son and also as there are civil disputes between the petitioner and his younger son.

Recording the submission of the learned Assistant Government Pleader, the writ petition is disposed of with a direction that if the petitioner still desires to prosecute his son, who is the accused in his complaint, he can prefer 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**

28.12.2016

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