

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.288 of 2016

ORDER:

The prayer in this writ petition is as under:

“For the reasons stated in the accompanying affidavit, it is just and essential that the Hon'ble court be pleased to issue a Writ of Mandamus or any other appropriate writ or order or direction declaring the action of the Respondents in interfering with the life and liberty of my brother Tirumalasetty Srinivasa Rao who has been carrying on quarry business in Atmakur Village, Mangalagiri Mandal, Guntur District and with life and liberties of 1. Yalamatti Narasimha Rao, s/o. Koteswara Rao, Atmakur Village, 2. Ramireddy Venkateswara Rao, S/o Krishna Murthy, Kanchela Village, 2. Kunchekala Vijayakumar, S/o. Ananda Rao, Atmakur Village, 4. Bojja Prasad, S/o. Gopalakrishna Murthy, Atmakur Village, who are working with my brother's quarry as arbitrary, illegal and unjust and issue a consequential direction directing the Respondents to forthwith release my brother Tirumalasetty Srinivasa Rao and 1. Yalamatti Narasimha Rao, S/o. Koteswara Rao, Atmakur Village, 2. Ramireddy Venkateswara Rao, S/o. Krishna Murthy, Kanchela Village, 3. Kunchekala Vijayakumar, S/o. Ananda Rao, Atmakur Village, 4. Bojja Prasad, S/o. Gopalakrishna Murthy, Atmakur Village who have been working with my brother in quarry and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

In support of the said prayer, the petitioner, in para 3 of the writ affidavit, stated to the effect that the police officials had taken away his brother, Tirumalasetty Srinivasa Rao, along with ten other persons and that their whereabouts were not disclosed.

In effect, the petitioner is seeking a Writ of Habeas Corpus to produce his brother but a Mandamus is sought.

The writ petition is therefore misconceived and is accordingly dismissed. This order shall however not preclude the petitioner from seeking appropriate relief by framing his prayer properly and in

accordance with law. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

In future, the Registry shall take note of prayers of this nature and shall not allow matters to be numbered unless the proper relief is sought.

JUSTICE SANJAY KUMAR

5th January, 2016
IBL