

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.3031 of 2016

ORDER:

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

“For the reasons stated in the accompanying affidavit the petitioner herein pray that this Hon'ble court may be pleased to issue an order or direction more particularly one in the nature of writ of mandamus declaring the inaction of the

3rd respondent in not receiving the complaint lodged by petitioner dt.27-08-2014 and not registering a crime basing on the complaint and not investigating into the matter is illegal and arbitrary and contrary to the fundamental principles enshrined in the Constitution of India and consequently direct the

3rd respondent to receive the complaint given by the petitioner dt.27-08-2014 and to pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.”

The Sub-Inspector of Police, Kothapeta Police Station, Guntur Urban, furnished written instructions dated 23.02.2016 to the office of the learned Government Pleader for Home, wherein he stated that no complaint had been received from the petitioner.

In the light of the categorical denial of the police authorities, Sri N.V.R. Amarnath, learned counsel for the petitioner, fairly conceded that his client may be given liberty to make a fresh complaint.

The writ petition is accordingly disposed of leaving it open to the petitioner to make a fresh complaint in accordance with law, if warranted. Needless to state, in the event any such complaint is made, the police authorities are bound to take action thereupon in accordance with the directions of the Supreme Court in **Lalita Kumari**

v. Government of Uttar Pradesh ^[1].

Pending miscellaneous petitions, if any, shall stand closed in

the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

1st March, 2016
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[\[1\]](#) (2014) 2 SCC 1