

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 21304 of 2016

ORDER :

The Writ Petition came to be filed with the following prayer:

“...to issue a writ order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondent No.7 in not following due process of law as laid down in Arneesh Kumar Vs. State of Bihar, dated 02.07.2014 in dealing with the complaint said to have been received on 20.06.2016 from the daughter of 8th respondent attracting the Provisions of Section 498A is illegal, arbitrary, violative of Principles of Natural Justice and also against Article 14, 21 of the Constitution of India and consequently direct the Respondent No.7 to follow the due process of law upon the complaint said to have been received from the daughter of the 8th respondent dated 20.6.2016 and pass...”

2. Heard the learned counsel for the petitioner and the Assistant Government Pleader for Home for the State of Telangana appearing for the respondents 1 to 7. At the request of both the counsel, the Writ Petition itself is taken up for disposal at the stage of admission. Since this court is not adjudicating the case on merits, it may not be necessary to hear unofficial respondent No.8.

3. Case of the petitioner is that he filed O.P. No.546 of 2016 before the Family Court, City Civil Court, Hyderabad

for declaring his marriage with daughter of respondent No.8 as null and void, and as a counter blast to the same, respondent No.8 appears to have filed a report with respondent No.7 on 20.06.2016 against the petitioner and his family members. It is his grievance that he is preparing for Civil Services Examinations and without registering any crime or without following the guidelines laid down in ***Arnesh Kumar v. State of Bihar & another***^[1] case, police are trying to harass and ruin his future.

4. Learned Assistant Government Pleader appearing for respondents 1 to 7, on instructions, states that the allegations made in the Writ Petition are false and any act of the police shall be in accordance with law. Recording the said statement, respondent No.7 is directed not to summon the petitioner to police station without following due procedure established by law.

5. The Writ Petition is disposed of with the aforesaid direction. Miscellaneous petitions pending, if any, in the Writ Petition shall stand closed in the light of this final order. No order as to costs.

C.PRAVEEN KUMAR, J

30.06.2016

DRK

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30.06.2016

^[1] 2014 (2) ALT (CrI.) 457 (SC)