

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.6545 OF 2016

ORDER

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

“For the reasons stated above it is prayed that this Hon'ble court may be pleased to issue a Writ or order or direction more particularly in the nature of Writ of Mandamus declaring the action of the respondents 2 to 4 in not registering petitioner complaint dated 5-10-2015 as FIR and not hand over the car bearing No. TS 15 EC 7413 is illegal, arbitrary, unjust and violation of principles of natural justice and violation of Article 21 constitution of India and contrary to the judgments of Hon'ble Apex Court and consequently direct the respondents 2 to 4 to register petitioner complaint dated 5-10-2015 as FIR and take action according to law by hand over petitioner car bearing No. TS 15 EC 7413 and pass such orders as it may deem fit and just.”

As the petitioner failed to place on record any evidence of the complaint made by him having been received by the police authorities, the matter was adjourned to enable the learned Assistant Government Pleader to get instructions. He however states that he was unable to do so.

Sri Venkateswerllu Kesamsetty, learned counsel for the petitioner, fairly states that his client may be given liberty to file a fresh complaint and that no further orders need be passed in this writ petition.

The writ petition is accordingly closed permitting the petitioner to make a fresh complaint, if warranted. Needless to state, in the event such a complaint is made, the police authorities are bound to take necessary action thereupon in the light of the law laid down by the Supreme Court in ***LALITA KUMARI V/s. GOVERNMENT OF UTTAR PRADESH***^[1].

Pending miscellaneous petitions shall also stand closed. No

order as to costs.

SANJAY KUMAR, J

28th APRIL, 2016
PGS

[\[1\]](#) (2014) 2 SCC 1