

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38424 of 2016

ORDER:

This writ petition is filed seeking to declare the inaction of the 2nd respondent in taking action against the 3rd respondent, who for extraneous consideration registered a case in Crime No.405 of 2016 for the offence under Section 174 Cr.P.C., though son of the petitioner was harassed and abated to commit suicide, in spite of the written complaint, dated 12.09.2016, followed by his repeated visits, as illegal and arbitrary.

Heard and perused the material available on record.

The case of the petitioner is that the petitioner is the native of Chinavalasa Village of Tallarevu Mandalam and maintaining his family by catching fish. While so, news spread in the village that the son of the brother of the petitioner got a treasure and that the village elders harassed his brother's son, who left the village and the village elders also eliminated the petitioner's family from the village and that on 22.07.2016, unable to bear the torture made by the villager elders, the elder son of the petitioner committed suicide.

The main grievance of the petitioner is that on 18.08.2016, the 3rd respondent obtained the thumb impression of the petitioner on some papers and also the signature of his family members and relatives and without recording his statement, registered a case in Crime No.405 of 2016 under Section 174 Cr.P.C. The petitioner made a written complaint on 12.09.2016 before the 2nd respondent and other concerned authorities with a request to conduct detailed enquiry into the matter and take stringent action against the 3rd respondent for misusing his official power.

Considering the grievance of the petitioner, the 2nd respondent is directed to consider the written complaint, dated 12.09.2016, submitted by the petitioner and investigate into the matter, as expeditiously as possible and file a final report, if any, either way in accordance with law.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 9th November, 2016

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