

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39289 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the second respondent in not registering the complaint of the petitioner dated 07.11.2016, as illegal and arbitrary, and violative of the apex Court Judgment in *Lalitha Kumari v State of U.P.*, and consequently, to direct the second respondent to register the F.I.R., against the accused and investigate the same.

Heard and perused the material.

Learned counsel for the petitioner submits that the petitioner lodged the complaint, dated 07.11.2016, and that the second respondent is not registering the complaint of the petitioner, which is violative of the Judgment of the apex Court in *Lalitha Kumari v State of U.P.*, ((2014) 2 SCC 1) and as such, he prays this Court to direct the second respondent to register the case against the accused and take action against them.

Considering the facts and circumstances of the case, the writ petition is disposed of with a direction to the second respondent to follow the law laid down in *Lalitha Kumari v State of U.P.*, ((2014) 2 SCC 1), and register the complaint of the petitioner, if it discloses any cognizable offence, and conduct effective investigation and file final report, if any, in accordance with law.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

15.11.2016
pln