

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 6380 of 2011

Order:

This writ petition is filed challenging the action of the respondents 1 to 3 in not taking steps to enquire into the matter pursuant to the petitioner's representation, dated 16.02.2011.

2. The case of the petitioner is that his son, who was aged about 17 years and studying Intermediate II-year in Royal Junior College, Rethibowli, Mehdiapatnam, Hyderabad, was taken away forcibly by the Asifnagar Police, who came in civil dress. When the petitioner went to the Police Station on the intervening night of 14/15.02.2011, he was told that his son was taken for interrogation purpose. The petitioner's son was alleged to have been detained by the police from 14.02.2011 at about 8.00 PM to 15.02.2011 till 1.30 AM and there were injuries on his body. The petitioner took his son to M.M. Hospital, Mehdiapatnam and, thereafter, he was treated in Osmania General Hospital. The present Writ Petition is filed in connection with the said incidents.

3. A counter affidavit is filed by the Additional Inspector of Police, Asifnagar Police Station, Hyderabad City, stating that he assumed charge on 28.08.2015. He further stated that the fifth respondent was retired from service on superannuation, whereas the sixth respondent is under suspension. He admitted that a representation was submitted by the petitioner on 16.02.2011 to the then Station House Officer, Asifnagar Police Station, Hyderabad, requesting to conduct an enquiry into the matter. He further submitted that, on verification of the records, it revealed that in order to prevent the police from taking any action in the event of lodging of any complaint against his son, the said representation was submitted by the petitioner. The alleged incident of taking the petitioner's son forcibly into the police custody on 14.02.2011 is denied. It is further stated that on the self same

allegations the petitioner submitted a representation before the Andhra Pradesh State Human Rights Commission, Hyderabad, which was numbered as HRC No.536 of 2011 and the Human Rights Commission has called for a report from the then Commissioner of Police, Hyderabad City, and even before receipt of report, the said petition was dismissed on 20.02.2013, as the petitioner was not present and there was no representation on his behalf.

4. The above averments in the counter affidavit reveal that the petitioner submitted a representation on 16.02.2011 and it was noticed that the said representation was submitted in order to prevent any further action by the police and the allegation mentioned in the affidavit filed in support of the writ petition with regard to forcibly taking the petitioner's son into the police custody is denied.

5. In view of the same, this Court sees no grounds to entertain the present Writ Petition. Accordingly, the Writ Petition is dismissed. However, in the circumstances, no costs.

6. As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A.
Date: 16.02.2016
Nsr

RAMALINGESWARA RAO, J.