

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.28884 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the 3rd respondent in addressing a letter to the 5th respondent to seize the petitioner's gate pass given to enter into Visakhapatnam Steel Plant, as illegal and arbitrary.

Heard and perused the material available on record.

The case of the petitioner is that he is the Managing Partner of M/s.PSR Enterprises, and currently executing work orders issued by RINL at different zones at Visakhapatnam Steel Plant and that due to differences between the petitioner and the workman namely Pydi Ramakrishna, a case in Crime No.64 of 2016 was registered against the petitioner by the S.H.O., Steel Plant Police Station, for the alleged offences under Sections 420 and 506 IPC. The petitioner was arrested in the said case and he was also released on bail vide order, dated 25.07.2016, passed by the III Additional Chief Metropolitan Magistrate at Gajuwaka, Visakhapatnam.

The main grievance of the petitioner is that the 3rd respondent has been calling the petitioner continuously to the police station and threatening him. The petitioner approached the 2nd respondent by filing representation, dated 12.08.2016, stating about the harassment made by the 3rd respondent. Boring grudge on the petitioner, the 3rd respondent has addressed a letter to the 5th respondent to seize his gate pass and when the petitioner attended the 5th respondent on 09.08.2016, he retained the gate pass and stated that it is impounded as per the direction of the 3rd respondent.

It is informed by the learned Government Pleader for Home that respondents 3 & 5 are not interfering in any of the affairs of the petitioner.

Having regard to the same, the respondents, more particularly, respondent 3 & 5, are directed not to interfere with the affairs of the petitioner. However, this order will not stand in the way of the respondent police to register a case, if any complaint is lodged against the petitioner for cognizable offence.

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

Date: 25th October, 2016.

KL

RAJA ELANGO,J

