

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION NO.39924 OF 2012

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ORDER:

Petitioner claims to be an R.M.P.Doctor-cum-Reporter of 'Praja Shakthi' Telugu daily newspaper of Owk village and Mandal, Kurnool District. In connection with duties as reporter, he got published an item relating to 'Matka' in Praja Shakthi, Telugu Daily newspaper on 26-03-2012. He alleged the role of the police and Home Guard in the said illegal activity. In that connection, he was called to the Police Station by the 6th respondent. When he met 6th respondent, it appears that the 6th respondent abused him and also took out his pistol and pointed out that he would shoot him. Later on, he came to know that one Narayana filed a case against him in the same Police Station stating that he threatened and assaulted him. He obtained bail in connection with that crime on 30-08-2012. When he contacted the said complainant, the complainant was surprised to know that a complaint was lodged in his name. In those circumstances, the petitioner submitted a complaint before the Judicial Magistrate of I Class, Banganapalle, on 14-09-2012 and on coming to know about the same, the 6th respondent abused him in the name of his caste. He submitted a representation to the respondents 1 to 4 on 12-12-2012 against 6th respondent and when no action was taken, the present writ petition is filed.

2. The 6th respondent filed counter affidavit in January, 2013 denying the allegations made in the affidavit filed in support of the writ petition. He admitted about filing of private complaint against him under Section 3 (i) (x) of Scheduled Castes & Scheduled Tribes (POA) Act, 1989. The 4th respondent conducted an enquiry and found that no incident as alleged by the petitioner took place in the police station.

3. Learned Government Pleader submitted that action taken report submitted by the Sub-Divisional Police Officer, Dhone, Kurnool District, to the Superintendent of Police, Kurnool shows that the allegations made against the 6th respondent were not proved as the evidence collected does not support the allegations made therein. Accordingly, the petition was closed and further action was dropped.

4. In view of the above circumstances, it cannot be said that no action was taken by the respondents 1 to 4 against the complaint of the petitioner, dated 12-12-2012. Therefore, the writ petition is devoid of merit and is liable to be dismissed.

5. Accordingly, the writ petition is dismissed. No order as to costs. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

A.RAMALINGESWARA RAO, J

DATED: 04-04-2016

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