

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO**

WRIT APPEAL No.673 OF 2016

JUDGMENT: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

This appeal, under Clause 15 of the Letters Patent, is preferred against the order passed in W.P.No.24026 of 2016 dated 21.07.2016.

The Writ Petition was filed by the appellant herein to declare the action of respondents 5 and 6 in fabricating the complaint of 7th respondent, keeping the appellant's son in illegal custody for two days, remanding him on 08.07.2016, and in threatening the appellant and his family members of dire action regarding non-disposal of his complaint dated 07.07.2016 against respondents 5 and 6, as arbitrary and illegal. In the order under appeal the learned Single Judge held that it was not possible to come to any conclusion whether the complaint of the 7th respondent, against the son of the appellant, was fabricated or not.

Sri S.Satyam Reddy, learned Senior Counsel appearing on behalf of the appellant, would submit that the appellant and his son were called to the police station, the appellant's son was arrested and remanded to judicial custody on the basis of a non-existent complaint alleged to have been made by the 7th respondent, and the appellant had therefore filed a complaint dated 07.07.2016 to the 2nd respondent. Learned Senior Counsel would also submit, not without justification, that the appellant does not seek an enquiry by this Court into his complaint, and all that he seeks is for a direction to the 2nd respondent to examine his complaint, and thereafter take action in accordance with law. Learned Government Pleader for Home would fairly state that the 2nd respondent would examine the appellant's complaint dated 07.07.2016, and take action thereupon in accordance with law.

In the light of the submission made by the learned Government Pleader for Home, we consider it appropriate to set aside the order under appeal, and dispose of the appeal directing the 2nd respondent herein to consider the appellant's complaint dated 07.07.2016, and take action thereupon in accordance with law at the earliest, and in any event within two (2) months from the date of receipt of a copy of this order. The miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(U.DURGA PRASAD RAO, J)

05th August 2016
JSU

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Date: 05.08.2016

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