

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.3706 of 2016

ORDER:

The prayer of the petitioner in this case is as under:

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue any writ, order or direction more particularly one in the nature of writ of mandamus of declaring the excessive action of the 2nd and 3rd respondents is illegal, arbitrary, and in violation of natural justice and in violation of Article 21 of the Constitution of India. Consequently direct the respondents not to arrest the petitioner, and file any illegal cases against him and pass such other order or orders as deemed fit and proper in the circumstances.”

The alleged excessive action as per the above prayer is attributable to the Superintendent of Police, East Godavari District, and the Station House Officer, Razolu, East Godavari District.

However, the Sub-Inspector of Police, Razolu Police Station, East Godavari District, furnished written instructions dated 12.02.2016 to the office of the learned Government Pleader for Home, wherein he stated that no complaint was received against the petitioner on the file of Razolu Police Station and the question of arresting him did not arise. He also denied the allegation of the petitioner that basing upon the complaint made by his wife, the Razolu Police Station authorities called the petitioner to the police station. All the other allegations leveled by the petitioner were also denied.

The afore-stated stand of the police authorities is duly taken on record. In the light thereof, the complaint of the petitioner does not warrant adjudication on merits.

Sri M. Prudhvi Raj, learned counsel for the petitioner, is also agreeable to disposal of the writ petition in the light of the afore-stated stand of the police authorities.

The writ petition is accordingly closed. Interim order dated 08.02.2016 shall stand vacated. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

JUSTICE SANJAY KUMAR

19th February, 2016
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