

**HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO**

**WRIT PETITION NO. 2316 OF 2017**

**ORDER:**

This Writ Petition was filed challenging the action of the third respondent in not registering the FIR based on the complaint dated 9.12.2016, which was sent by registered post on 27.12.2016.

The Superintendent of Police, YSR Kadapa District, filed a counter stating that the complaint of the petitioner was received by the second respondent and the same was enquired into by the Special Branch, Kadapa, and it was found that the allegations are false. It is also stated that the petitioner also filed a petition before the A.P. Human Rights Commission, Hyderabad, with the same contents, and it was forwarded to the Superintendent of Police, YSR Kadapa District. The matter was entrusted to the Sub-Divisional Police Officer, Mydukur, who conducted enquiry and submitted a report on 12.2.2017. In the said report it was stated that the allegations made by the petitioner are not true and correct. Accordingly, a report was submitted to the A.P. State Human Rights Commission, Hyderabad. Earlier, petitioner filed W.P.No. 44044 of 2016 and it was closed on 26.12.2016. There are civil disputes between the petitioner and the respondents 4 & 5. However, it is stated by the second respondent as follows:

“The respondent No. 3 received petition of the petitioner through registered post on 28.12.2016. In response to the above petition, respondent No. 3 called the petitioner to PS for registering case and to obtain his signature on FIR in Col. 14. But, the petitioner did not appear before respondent No. 3. On that, respondent No. 3 has made an entry in General Diary of the PS to that effect. When the respondent 3 deputed Police Constable (PC 2600) to secure the petitioner, but the

petitioner rejected to come to the Police Station. The facts explained in the above instances, the allegations are not proved. The petitioner is in the habit to send his petitions by post and he never choose to come to the Police Station personally to give his petition with specific reasons. The SI, Badvel has requested him to come to the Police Station to give complaint, but he rejected by saying that he only contact to the Superior officers to resolve his problem.

I submit that if the petitioner approaches the SHO, Badvel (U) P.S. with compliant of cognizable offence, case will be registered and investigation will be taken up by the Police as per law.”

In view of the same, it is for the petitioner to approach the Police in person in order to pursue his grievance, if any.

Accordingly, the Writ Petition is closed. It is needles to observe that as and when the petitioner approaches in person with the complaint, the Police shall take necessary action in accordance with law. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

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**A. RAMALINGESWARA RAO, J**

DATE: 17.03.2017

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