

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.6319 of 2017

ORDER:

The writ petition is filed challenging the inaction of 4th respondent in conducting investigation pursuant to the registration FIR No.440 of 2016 on 09.11.2016.

2. A counter-affidavit has been filed by the 3rd respondent, stating that the petitioner filed a private complaint before the Judicial Magistrate of I Class for Prohibition & Excise, Mahabubnagar and the same was registered as Cr.No.440 of 2016 on 09.11.2016. Investigation was taken up in the said case and during the course of investigation, it was revealed that there is a case pending before the District Consumer Forum, vide Case No.58 of 2015 and the accused also filed a counter in the said case regarding the subject matter and hence, the Sub Divisional Police Officer, Mahabubnagar was requested to accord permission to refer the case as 'civil nature' and he also accorded permission to refer the case as 'civil in nature'. Accordingly, a notice was given to the petitioner on 14.12.2016 and filed a final report before the concerned court.

3. Learned counsel for the petitioner submits that the notice of final report was not received by the petitioner. But the learned Government Pleader submits that the present writ petition is filed two months after filing of the final report.

4. In view of the filing of the final report by the police before the concerned court, no orders are necessary in the present petition. However, it is open to the petitioner to take appropriate legal proceedings in accordance with law.

4. The writ petition is, accordingly, closed. No order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 30.03.2017

BSS



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