

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 40128 of 2016

ORDER:

1) The present writ petition came to be filed with the following prayer:

“issuance of writ of mandamus, declaring the issuance of the impugned proceedings bearing MC No.34/ 2-16 dated 29.09.2016 followed by MC No.34/ 2016 dated 28.10.2016 promulgating prohibitory orders under Section 144 Cr.P.C. in Kondajuturu Village, Panyam Mandal, Kurnool District, as arbitrary, unwarranted, illegal and un-constitutional; and consequently *set aside* the same.”

2) At the time when the matter is taken up for hearing, learned Government Pleader for Home (AP) submits that by an order dated 16.11.2016, the proceedings under Section 144 Cr.P.C. were recalled in the said village.

3) A reading of the impugned proceedings would show that proceedings under Section 144 Cr.P.C. came to be issued initially for a period from 29.09.2016 to 28.10.2016 and thereafter from 29.10.2016 to 28.11.2016. In para No.11 of the counter it has been stated that in view of the law and order situation in the area, the impugned proceedings were issued, promulgating Section 144 Cr.P.C. which remained in force for the period from 29.10.2016 to 15.11.2016. As soon as the situation improved, the same were vacated vide proceedings M.C.No.34/ 2016 dated 16.11.2016.

4) Since the proceedings under Section 144 Cr.P.C. are withdrawn, the cause in the writ petition does not survive for adjudication. Accordingly, the writ petition is closed.

5) There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

13.06.2017
gkv

