

HON'BLE SRI JUSTICE S.V.BHATT

W.P. No. 395 OF 2012

ORDER:

The petitioner prays for the following relief:

".. Mandamus or any other appropriate writ declaring the action of the Respondents 1 and 2 not considering the representation of the Petitioner dt. 12/13-12-2011 for CBCID enquiry against the Respondents 3 and 4 for their involvement in misusing/misappropriation of the stolen gold and silver ornaments of the Petitioner which were recovered from the accused persons as illegal, arbitrary and contrary to Article 14 of the Constitution of India and consequentially direct the Respondents 1 and 2 to order for CBCID enquiry against Respondents 3 and 4 based on the representation of the Petitioner dt. 12/13-12-2011.."

Respondent No.3 filed counter affidavit along with charge sheet filed in C.C. No.299 of 2011 in the Court of Additional Judicial First Class Magistrate, Ramachandrapuram.

The Assistant Government Pleader for Home places on record that A2 is convicted and the crime registered against A1 is separated. In view of the conviction of A2 and demise of A1, this Court is of the view that on the allegations stated by the petitioner in the writ affidavit, the prayer cannot be considered for CB-CID enquiry against respondents 3 and 4.

The writ petition is dismissed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

S.V.BHATT,J

Date:03.03.2017

Sp