

HON'BLE SRI JUSTICE S.V. BHATT

W.P. No.33155 OF 2013

ORDER:

The petitioner claims to have given representation dated 07.09.2013 to 3rd respondent and petitioner complains inaction in looking into the grievance of petitioner made through representation dated 07.09.2013. The petitioner prays for direction to entrust the complaint to CB-CID for investigation. The Superintendent of Police/3rd respondent filed counter affidavit. To appreciate the veracity of averments in writ affidavit, the following portion of the counter affidavit is excerpted:

"It is to submit that during the investigation of Cr.No.235/2012 u/s.457, 380 r/w. 511 IPC the IO verified the complicity of all the suspects mentioned by the petitioner/complainant, apart from other MO criminals, ex-convicts and suspects, as there was no likelihood of getting any useful clues the IO obtained permission from the Sub-Divnl. Police Officer, Sircilla vide C.No.286/Closure/S/2013, Dtd. 29.06.2013 to refer the case as "Un-detected" for the time being with a view to re-open the case as and when, any clues comes forth. But the petitioner/complainant avoided to take the notice all the time he found away from his residence.

`It is to further submit that the petitioner on the name of Chairman of Avatar Mehar Baba Charitable Trust, Tattekunta (Agraharam) village of Vemulawada Mandal of Karimnagar Dist used to file writ petitions, complaints to Police, complaints against Revenue and other officials etc. according to the available record with the same temple issue more particularly covered by similar reasons he filed writ petitions Nos.554/2009, 7305/2009, 10180/2009, 16855/2009, 20704/2009, 21478/2009, 24728/2009,14428/2010, 16597/2010, 17650/2010, 20380/2010, 24633/2010, 27729/2010, 10286/2011, 10567/2011, 12686/2011, WA 622./2011, CC No.1303/2011, WP No.637/2012, 6952/2012,

24591/2012, 18493/2013, 29841/2013, CC 563/2012. Further he is also complainant in Cr.Nos.431/2006 of PS Sircilla Town case acquitted., Cr.No.402/2010, 81/2011, 43/2012 these cases are PT and Cr.No.277/2013 case is UI of PS Sircilla Town, in Cr.No.69/2005 (Final report submitted as Mistake of Fact), Cr.No.14/2006 of PS. Vemulawada (referred as False), Cr.No.147/2006 (referred as Mistake of Fact) , Cr.No.99/2010 (referred as False), Cr.No.283/2010 (referred as False), Cr. No.318/2010 (referred as False), Cr.No.50/2012 (referred as Un-detected) and Cr.No.235/2012 (referred as Un-detected) of PS Vemulawada. Thus, the petitioner appears to be working with the sole object of harassing particular individuals or the others for his personal gains. In this regard earlier Writ Petition No.16531 of 2011 was dismissed with costs of Rs.15,000/- (Rupees Fifteen thousand only). Even then the petitioner did not change his mindset and attitude and continued to file the Writ Petitions with frivolous facts. Under the above circumstances, it is proved that the petitioner is habituated in filing the false complaints, as such there is no need to transfer this case to CBCID.”

The petitioner in spite of receipt of copy of counter affidavit as early as 09.12.2013 did not file reply or rejoinder to the allegations made by 3rd respondent. This Court after perusing the record and taking note of writ prayer is of the view that the writ petition is misconceived and liable to be dismissed. Accordingly the writ petition is dismissed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

S.V.BHATT, J

Date: 07.11.2017
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