

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 33214 OF 2017

ORDER:

Inaction of the 3rd respondent Station House Officer on the complaint dated 07.04.2017 of the petitioner is questioned in this Writ Petition.

The case of the petitioner is that her husband was the owner –cum- driver of the vehicle bearing Registration No. TS 06 UA 6039. After his death due to electrocution, on 18.11.2016, the father of the deceased i.e. the father-in-law of the petitioner had taken away the vehicle. Hence, the petitioner lodged a complaint on 07.04.2017 with the 3rd respondent police. Despite the same, the 3rd respondent has neither registered any crime nor taken action on the culprits.

Heard learned counsel for the petitioner.

Learned Government Pleader for Home (Telangana), who has secured written instructions from the Sub-Inspector of Police, Kothakota Police Station, submits that on receiving the complaint of the petitioner, a preliminary enquiry was conducted which revealed that the subject vehicle was purchased by the husband of the petitioner in 2015, prior to his marriage. Since the dispute is civil in nature, the said fact was informed to the petitioner *vide* notice dated 20.04.2017. the learned counsel for the petitioner submits that his client has not received any notice dated 20.04.2017.

Considered the respective submissions. Since, in the preliminary inquiry, the 3rd respondent had come to the conclusion that the dispute is civil in nature, one cannot find fault with him in

not registering the First Information report. However, considering the denial of the petitioner of the factum of receiving the notice dated 20.04.2017, the 3rd respondent is directed to serve a copy of the notice dated 20.04.1017 on her, as required under Section 173(2) of the Code of Criminal Procedure. On receipt of the same, the petitioner shall be at liberty to work out the remedies available in law.

The Writ Petition is accordingly, disposed of. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

09th October 2017

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CHALLA KODANDA RAM, J

