

THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT

AND

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

Writ Petition No.4500 of 2017

ORDER: *(Per Hon'ble Sri Justice Suresh Kumar Kait)*

Vide the present petition, the petitioner seeks direction declaring the inaction on the part of respondents 1 to 6 in taking any steps/action to trace the petitioner's husband namely K.Ramakrishna @ Kayam Ramakrishna in pursuance of the FIR No.209 of 2015 dated 25.05.2015 of Kothagudem I Town Police Station, Khammam District, Telangana State and another FIR No.479 of 2015 dated 31.08.2015 of Krishna Lanka Police Station, Vijayawada City, Krishna District, Andhra Pradesh State.

2) As stated in the Para 9 of the present petition, that the petitioner even filed W.P.No.30973 of 2015 before this Court praying that a direction be given declaring the action of the respondents 1 to 6 in not taking steps and not taking any action to trace out and save the life of her husband. The said petition is still pending for adjudication. Thereafter, on the same issue another FIR No.479 of 2015 dated 31.08.2015 is registered as noted above. However, till date there are no whereabouts of the husband of the petitioner.

3) Counsel appearing on behalf of the petitioner submits that the petitioner's husband received provisional offer of appointment order as Junior Estates Officer (E-1 Grade) in Singareni Collieries

Company Limited (for short "SCCL") to report on 06.10.2014 at 10:00 AM but suddenly at 10 'o' clock on said date, a complaint was received against him which was submitted to the General Manager (Personnel) / EE & RC. So the General Manager denied him to give the joining report and told the husband of the petitioner that they are going for legal opinion about the complaint received against him which may take 10 to 15 days. On 06.10.2014 itself, the husband of the petitioner made a representation to the Director (PA & W), Singareni Collieries Company Limited, Head Office, Kothagudem, that since two months, Dr.Shankar Nayak and Thavurya Nayak were using undue influence against him not to join the job in SCCL. Shankar Nayak in fact was trying to manhandle him if he joined in SCCL. The said Shankar Nayak tried to give him bribe for not joining and also threatened to kill him if he joined in SCCL. Thus the petitioner has apprehension that respondents 7 and 8 have abducted her husband and the respondents-police have not made any efforts to trace out the same.

4) It is an admitted fact that the petitioner has already filed W.P.No.30973 of 2015 pending for adjudication. However, she has filed the present petition. Though, it is not maintainable on the same issue, however, counsel for the respondents 1 to 3 submits that the respondents 1 to 3 made all efforts and interrogated even respondents 6 to 10 and find no clue regarding the whereabouts of the husband of the petitioner. Moreover vide Rc.No.307/C-2/TS/2016 dated 25.01.2016, the Director General of Police,

Telangana State, Hyderabad forwarded the original C.D file in Cr.No.209/2015 under the head “Man Missing” of husband of the petitioner, to the Director General of Police, Andhra Pradesh State with a request to take further necessary action as the place of offence comes under the jurisdiction of Krishna Lanka Police Station of Vijayawada City of Krishna District, A.P. State.

5) Keeping in view that the Mandamus already sought by the petitioner in the W.P.No.30973/2015 on the same issue, wherein she can further seeks direction if any. However, she filed the present petition and the respondents have made all efforts to trace out the husband of the petitioner but till date they could not get any clue of the husband of the petitioner.

6) We hereby close the present writ petition with the direction that in future if any clue of the husband of the petitioner is received and they are able to trace out, then same shall be communicated to the petitioner in writing.

7) In view of above, the present Writ Petition No.4500 of 2017 is closed. No costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand closed.

SURESH KUMAR KAIT, J

U.DURGA PRASAD RAO, J

Date: 14.02.2017

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