

THE HON'BLE SRI JUSTICE S.V.BHATT

W.P.NO.28618 OF 2014

ORDER

Heard Sri N.Aswani Kumar for petitioner and the Assistant Government Pleader for Home for respondents.

The petitioner prays for Mandamus, declaring the action of respondents 5 and 6 in not conducting investigation in a fair and transparent manner from the stage of registering FIR.No.110 of 2014 on the file of Ghantasala Police Station, Krishna district – 5th respondent, as illegal, arbitrary and unconstitutional. Petitioner prays for a consequently direction to transfer the crime in FIR No.110/2014 to 6th respondent.

Counsel for petitioner submits that on 19.09.2014, the 5th respondent has filed charge sheet and questioning the manner of investigation, particularly the lopsided reference to statements of witnesses etc., the petitioner herein has filed writ petition in W.P.No.12292 of 2015. He requests the court to take up the present writ petition along with W.P.No.12292 of 2015.

I have perused the material on record, particularly Ex.P-1, and I have taken note of filing of charge sheet on 19.9.2014 i.e., one day prior to the filing of the writ petition. Petitioner has already filed W.P.No.12292 of 2015 raising various grounds against the charge sheet dated 19.9.2014 and the mode and manner of investigation by 5th respondent. The instant writ petition is one against inaction and improper investigation. The scope of this writ prayer is very limited. W.P.No.12292 of 2015 substantially covers all

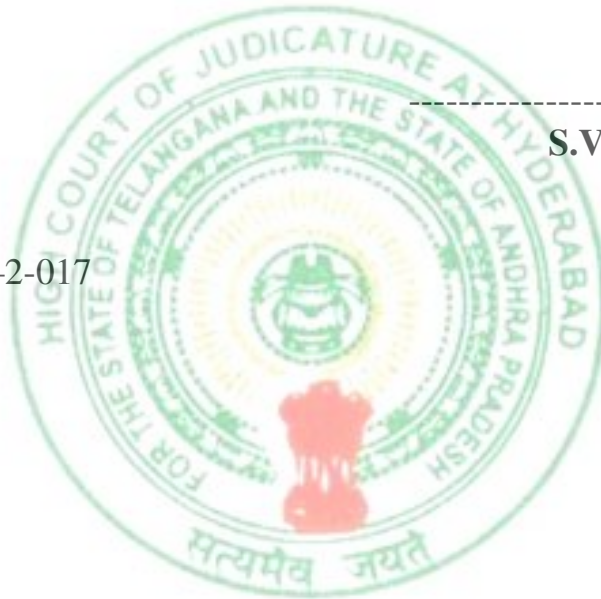
the grievances of the petitioner, it is open to the petitioner to press all the factual and legal grounds available against the charge sheet filed on 19.9.2014 in W.P.No.12292/2015. The request of petitioner for taking up both the writ petitions, I am satisfied need not be considered for the prayer in the present writ petition is rendered ineffective. Writ Petition is accordingly dismissed.

No order as to costs.

Miscellaneous petitions pending if any, shall stand closed.

DATE:26—04—2-017

AVS



S.V.BHATT,J