

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.978 of 2013

ORDER:

No representation for petitioner.

Heard Assistant Government Pleader for Home, Mr. Tarlada Rajasekhar Rao for Respondent No.3 and the Assistant Government Pleader for 5th respondent.

The petitioner prays for mandamus declaring the action of the 2nd respondent in forcing the petitioner to drop the proceedings initiated in CC No.48 of 2012, dated 19.10.2012 by using the complaint given by the 3rd respondent as weapon is illegal, arbitrary and unconstitutional.

The 2nd respondent filed counter affidavit and the 2nd respondent substantially denies each and every one of the allegation in the affidavit. It is further stated on the complaint given by the 3rd respondent a case in Crime No.143 of 2012 u/Secs. 3(i)(x) of SCs and STs (POA) Act, 1989 has been registered and investigation is in progress.

The 6th respondent filed counter affidavit and has substantially adopts the stand taken by the 2nd respondent. Be that as it may, this court is of the view that the petitioner is mixing up execution of order passed in C.C

No.48 of 2012, dated 19.10.2012 by the District Consumer Forum, Srikakulam, which is the on going investigation in Crime No.143 of 2012. These two are distinct and separate. Further, the averments made to contend that the 2nd respondent pressuring the petitioner to withdraw the execution proceedings are equally not convincing.

For the above reasons, the Writ Petition fails and is accordingly dismissed. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Dt: 15.11.2017
Gs/Knl



S. V. BHATT, J