

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.9002 of 2017

ORDER

This writ petition is filed challenging the inaction of respondents 2 to 4 in registering the crime on the report dated 28.11.2016 submitted by the Advocate-Commissioner as well as the complaint of the petitioner dated 16.1.2017 against respondents 6 and 7.

Learned Government Pleader, on written instructions, submits that the 5th respondent-Sub Inspector of Police, Kothapeta Police Station, East Godavari District, filed a memo before the learned Judicial First Class Magistrate, Kothapeta, seeking permission for registering the crime as the same is non-cognizable offence. Pursuant to the permission accorded by the learned Magistrate *vide* order dated 21.3.2017, Cr.No.56 of 2017 was registered against three accused for the offence punishable under Section 434 read with 34 IPC and investigation is pending.

It appears, the 5th respondent has registered the crime against the accused after filing the present writ petition and he has not indicated the reason for not responding to the report submitted by the Advocate-Commissioner on 28.11.2016 and that of the petitioner on 16.1.2017. This is a clear case of negligence by the 5th respondent, for which, appropriate departmental action should be initiated by the 2nd respondent.

In the circumstances, the 2nd respondent is directed to verify the records in relation to Cr.No.56 of 2017, dated 21.3.2017 and initiate appropriate action against the 5th respondent for his negligence in discharging his duties.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

28th March, 2017
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