

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.37222 OF 2017

ORDER:

Heard Mr.V.Raghunath, counsel for petitioners and Assistant Government Pleader for respondents.

The petitioners pray for the following relief:

“.....writ of *mandamus* declaring the action of the Respondent No.2 herein threatening the petitioners herein to open the rowdy sheet and coercing the petitioners by calling to the police station without any legal valid reasons as illegal, arbitrary against the law and violation of Article 14 and 21 of the Constitution of India consequentially it is also further prayed that this Hon'ble Court may be pleased to direct the respondent No.2 herein not to call the petitioners to the police station without due process of law.”

The prayer has two limbs. Firstly, declaring the action of 2nd respondent in threatening to open rowdy sheet against petitioners and calling the petitioners to Police Station without legal or valid reasons as illegal, arbitrary and unconstitutional.

The Assistant Government Pleader refers to a few cases registered against the petitioners herein and submits that during and in the course of investigation of one or the other crime, the petitioners who are the accused, were summoned to the station.

The petitioners have placed on record, the Memo dated 4.11.2017 addressed by 3rd respondent to 2nd respondent

calling upon 2nd respondent to furnish information desired by petitioners under Right to Information Act.

After perusing the record and also taking note of submission of Assistant Government Pleader, this Court is of the view that for the present, the writ prayer is premature and by giving liberty to file a fresh writ petition with comprehensive prayer together with evidence on all the aspects, the writ petition is dismissed. No order as to costs.

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

Dt: 08.11.2017
Kp/dv



S. V. BHATT, J