

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.43439 of 2017

ORDER:

Heard learned counsel for petitioner and learned Government Pleader (Home) for respondents.

The petitioner prays for the following reliefs :-

“....to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.4 in opening and continuing Rowdy Sheet No.649 of 2011, dated 08-08-2011 against the petitioner in Kandukur Police Station, Kandukur, Prakasham District, as illegal, colorable exercise of power, contrary to the settled principles of legal position and violative of the fundamental rights guaranteed to the petitioner under Articles 14 & 21 of the Constitution of India and consequently to direct the respondents No.2 to 4 to close the Rowdy Sheet No.649 of 2011, dated 08-08-2011 against the petitioner in Kandukur Town Police Station, Kandukur, Prakasham District ...”.

This Court is prepared to admit the writ petition and post W.P.M.P. for counter of respondents.

Counsel for petitioner, on instructions from his client, submits that continuation of rowdy sheet against the petitioner is unwarranted, both in law and fact. Even assuming that the petitioner was involved in a few criminal cases, all the cases ended in acquittal. The petitioner is a responsible citizen and is prepared to work for social service or social cause to prove the transformation and continuing to be as such.

The counsel, keeping in view the procedure followed by respondents in renewing the rowdy sheet, requests the Court to direct the Sub-Divisional Police Officer to consider the representation of petitioner while renewing the subject rowdy sheet. To prove his value to the Society and take up social cause, the counsel submits that petitioner volunteers to do social service as may be intimated by the Sub-Divisional Police Officer.

The petitioner by stating so has persuaded this Court to direct the Sub-Divisional Police Officer to receive representation of petitioner and the Sub-Divisional Police Officer considers entrusting social service/cause to petitioner for undertaking the same.

The petitioner is given liberty to do social service and prove his utility in the locality/society. As to the representation, this Court in similar circumstances directed the Sub-Divisional Police Officer to consider representations on renewing the rowdy sheet.

Hence, the Sub-Divisional Police Officer is directed to take note of the circumstances as on date while reviewing the rowdy sheet challenged in the writ petition. The petitioner is given liberty to file explanation / representation within two weeks from today by enclosing copy of this order. This Court has no reason to doubt that as and when such explanation / representation is filed by the petitioner, the same is examined in the light of the law laid down by this Court in W.P.No.4688 of 2012, which was disposed of on

16.03.2017 and in the judgments reported in Sunkara Satyanarayana v. State of Andhra Pradesh¹ and B. Satyanarayana Reddy v. State of Andhra Pradesh².

The writ petition is disposed of accordingly. No order as to costs.

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

S. V. BHATT, J

Dt: 21-12-2017
Prv



¹ 2000(1) ALD (CrI.) 117 (AP)

² 2004(1) ALD (CrI.) 38 = 2004(2) ALT(CrI.) 115