

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.30340 OF 2013

ORDER:

Heard Ms.N.T.Lavanya, holding for Mr.Nandigam Krishna Rao, counsel for petitioner and the Assistant Government Pleader for Home.

The writ prayer writ prayer reads thus:

.....this Hon'ble Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus:

i) to declare the action the action of the second respondent police in repeatedly calling the petitioner to the Police Station and detaining and harassing him without any fault of him since from 12.9.2013 by the second respondent police under the guise that his father-in-law Rayavalasa Santhosh Kumar and brother-in-law Rayavalasa Siva Santhosh Kumar, are involved in chain snatching case pertaining to the first respondent police station, though he has not committed any offence nor in any way connected with that of the said allegation as illegal arbitrary, unjust and violative of principles of natural justice and against the powers vested in the second respondent; and

ii) to consequently direct the respondents to see that the petitioner is not called to the Police Station and harassed by any one of the Police Stations including the second respondent herein for no fault of his; and

iii) pass such other order or orders as this Hon'ble Court deems fit, proper and appropriate in the circumstances of the case".

The 1<sup>st</sup> respondent filed counter affidavit and the operative portion reads thus:

"It is humbly submitted that this respondent never seen the petitioner nor his father-in-law Rayavalasa Santosh Kumar and brother-in-law Rayavalasa Siva

Santosh Kumar. As of now, this respondent never summoned them to the police station nor interrogated them.

It is humbly submitted that the investigation is going on in all angles to find out the real culprits who behind the commission of offence. I humbly submit that as a precautionary measure to prevent the police from taking any action if any information is received by the police against him in future, the petitioner rushed to this Hon'ble Court and filed the present writ petition with baseless allegations. Certainly action will be taken if any clues are forthcoming about the involvement of the petitioner during the course of investigation by duly following the procedure. On mere apprehension, the petitioner filed the present writ petition for obtaining orders. No credence can be given to the contentions/allegations raised by the petitioner in the affidavit filed in support of the writ petition. Hence, the writ petition is liable to be dismissed at its threshold".

The stand of the 1<sup>st</sup> respondent in the counter affidavit is taken on record.

The writ petition is, accordingly, disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any pending, shall stand closed.

02<sup>nd</sup> January, 2018

*Lrkm*

S.V.BHATT, J