

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT PETITION No. 40991 OF 2014

ORDER:

This Writ Petition is filed for issue of *certiorari* to quash the proceedings in Crime No. 87 of 2004 of Mohammadabad Police Station, R.R. District, registered for the offence punishable under Section 468 of IPC.

2. The petitioner is a retired employee. On the complaint of the then Mandal Revenue Officer, Gandeed Mandal, the above crime was registered against the petitioner and issued F.I.R. After investigation, the investigating officer filed final report on 26-02-2006 under Section 173 (3) of Cr.P.C. on the file of the Court of learned Judicial I Class Magistrate at Parigi (for short, 'the Court below') closing the crime due to lack of evidence and a certificate was also issued on 22-11-2011 by Sub Inspector of Police, Mohammadabad Police Station, to the above extent and the same is placed on record. However, the Court below did not take into consideration the final report filed on 26-02-2006 and failed to pass appropriate orders. On account of pendency of final report before the Court below without passing any order, the petitioner is being deprived of to claim his retiral benefits.

3. Having regard to the above facts and circumstances of the case, the Writ Petition is allowed and the Court below is directed to pass appropriate orders on the final report filed on 26-02-2006 in Crime No. 87 of 2004 of Mohammadabad Police Station, R.R. District, within a period of ten days from the date of receipt of a copy of this order in accordance with law.

4. Pending miscellaneous petitions, if any, shall stand closed in consequence.

M.SATYANARAYANA MURTHY, J.

Date: 14-06-2018.

JSK

