

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.4534 OF 2018

ORDER:

The grievance of the petitioner in the present writ petition is the alleged inaction on the part of respondent No.2 in registering the complaint, dated 29.01.2018, said to have been made by the petitioner herein.

2. When the matter is taken up, a preliminary objection as to the maintainability of the writ petition is taken by the learned Government Pleader for Home (TG) appearing for respondent Nos.1 and 2 stating that as per Sub-section (3) of Section 154 of the Code of Criminal Procedure, 1973, any person aggrieved by a refusal on the part of an officer in charge of a police station to record the information may approach the Superintendent of Police concerned. In the instant case, without availing the said remedy, the present writ petition is filed before this Court under Article 226 of the Constitution of India directly.

3. In view of the said remedy, this Writ Petition is disposed of, keeping it open to the petitioner herein to approach the concerned authority under Section 154(3) Cr.P.C. for redressal of his grievance. There shall be no order as to costs.

4. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE A.V.SESHA SAI

Date : 14.02.2018
AMD

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