

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.5700 OF 2018

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for Home (A.P.) appearing for the respondents.

2. In the present writ petition, challenge is to the opening and continuation of rowdy sheet No.502 against the petitioner herein by the respondent police authorities.

3. Petitioner herein claims to be the native of Parasannayapalli Village falling within the jurisdiction of Rapthadu Police Station and ten years back, he settled in Ananthapuram Town. It is further stated that cultivation is his livelihood. It is further submitted by the learned counsel that the petitioner herein was implicated in Crime No.46 of 2003 on the file of Rapthadu Police Station and rowdy sheet was opened against him. The petitioner shifted to Ananthapuram Town and rowdy sheet was also transferred to the IV Town Police Station, Ananthapuram. It is also stated that he was acquitted in the said case on 17.04.2008. It is further stated by the learned counsel that no other criminal case is pending against the petitioner and despite the same, the respondent police are maintaining the rowdy sheet against the petitioner herein in a routine and mechanical manner without looking into the character and behaviour of the petitioner herein. It is further stated that the petitioner herein is not a habitual offender and the provisions of the Police Standing Orders do not attract the case of the petitioner herein.

4. On the other hand, it is submitted by the learned Government Pleader for Home that the competent authority for considering the request of the petitioner herein and for deletion of the rowdy sheet against the petitioner is respondent No.3 and without approaching respondent No.3, the present writ petition is filed directly before this Court under Article 226 of the Constitution of India.

5. Having regard to the above submissions, the Writ Petition is disposed of, keeping it open to the petitioner herein to submit an appropriate application before respondent No.3 for redressal of his grievance within a period of two (2) weeks from the date of receipt of a copy of this order and if any such application is made, the same be considered and appropriate orders be passed strictly in accordance with law within a period of four (4) months from the date of filing of such application. There shall be no order as to costs.

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

JUSTICE A.V.SESHA SAI

Date : 21.02.2018

Note:- Furnish C.C. within two (2) days.

B/O
AMD

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AMD