

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.5871 OF 2018

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for Home (T.G.) appearing for the respondents.

2. This writ petition challenges the opening and continuation of rowdy sheet against the petitioner herein by the respondent police authorities.

3. According to the petitioner, he is a resident of Nadergul Village and he is having a piece of agricultural land and apart from the same, he is doing a small petty business.

4. It is submitted by learned counsel for the petitioner that as on today, no cases are pending against the petitioner herein and all the cases registered against the petitioner herein earlier ended in acquittal. It is further submitted by the learned counsel for the petitioner that the impugned action is in violation of Articles 14 and 21 of the Constitution of India.

5. 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 is third respondent and instead of filing an application before the third respondent, the present writ petition is filed directly before this Court under Article 226 of the Constitution of India.

6. Having heard the learned counsel for the petitioner and the learned Government Pleader, this Court, in the facts and circumstances of the case, deems it appropriate to dispose of the

Writ Petition keeping it open for the petitioner to submit an application before the third respondent competent authority for redressal of his grievance within a period of three (3) 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 three (3) months from the date of receipt of submitting such application. There shall be no order as to costs.

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

Date: 22.02.2018
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JUSTICE A.V.SESHA SAI

