

HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.24286 of 2013

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader appearing for respondent Nos.1 to 4.

The prayer sought in the writ petition is as under:

“... to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring inaction of the respondents 1 and 2 in initiating appropriate administrative action against Respondents 3 and 4 in consequence to the complaint of the Writ Petitioner wherein serious allegations of commission of the acts of subverting the investigation process and thereby defeating the right of fair investigation in the criminal complaint of the Writ Petitioner and also violation of statutory functions as per Section 157 Cr.P.C are alleged as illegal, violative of Right to Fair Trial guaranteed under Article 14 of the Constitution of India.”

The main grievance of the petitioner is that in spite of giving representation dated 22.04.2013 to the 2nd respondent, no disciplinary enquiry has been initiated against the 3rd respondent.

Learned Government Pleader placed on record the written instructions dated 24.08.2013 issued by the Inspector of Police, III Town Police Station, Kurnool, and the same is made part of the record.

From a perusal of the said instructions, it is evident that basing on the complaint lodged by the petitioner, a case in Crime No.88 of 2013 for the offence under Sections 323, 506 and 509 read with 34 IPC was registered on 05.04.2013. After investigation a charge sheet has been laid. After taking cognizance of the offences, the same was numbered as C.C.No.679 of 2013 and is pending trial. In the said instructions, it is mentioned that the then Sub-Inspector of Police i.e., the 3rd respondent herein already retired from service.

In view of the retirement of the then sub-Inspector of police, who was the in-charge of the III Town Police Station, Kurnool, the cause in the writ petition would not survive since the relief sought in the writ petition has become redundant. Therefore, no further cause would survive in the writ petition

Accordingly, the writ petition is closed. No costs.

Miscellaneous petitions, if any, shall also stand closed.

P. KESHA RAO, J

Date: 04.12.2018.
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