

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.8873 OF 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking verbatim the following relief:

“...to issue any writ order or direction more in the nature of Writ of Mandamus declaring the action of the 2nd respondent in not considering the petitioners representation dt.2.2.2018 as illegal, arbitrary and contrary to law and consequently direct the respondents herein to consider petitioners representation dt.2.2.2018 and forthwith take action on the same in accordance with law and pass such other order or orders may deem fit and proper in the circumstances of the case.”

2. I have heard the submissions of *Sri Pramod Singh*, learned counsel for the petitioner, and of the learned Government Pleader for Home (TG) appearing for the respondents and perused the material record.

3. Learned counsel for the petitioner would submit that on a representation of the petitioner, a case in Crime No.158 of 2017 was registered on 14.10.2017 by the Central Crime Police Station, Hyderabad, for the offences punishable under Section 420 of the Indian Penal Code, 1860 and Sections 103 and 104 of the Trade Marks Act, 1999 and that thereafter, there was no progress in investigation, despite calling for necessary information from the Registrar of Trade Marks and receipt of report from the said authority, and that, therefore, the petitioner filed a representation, dated 02.02.2018, before the Deputy Superintendent of Police, Detective Department, Central Crime Station, Hyderabad, for taking appropriate action in view of the provisions of Section 115 of

the Trade Marks Act, 1999 and Section 64 of the Copyright Act, 1957 and that on the said representation, no further action has been taken and hence, the present Writ Petition is filed.

4. Learned Government Pleader for Home (TG) would submit that the petitioner ought to have submitted a representation to the Assistant Commissioner of Police, Central Crime Station, Hyderabad, and that if the petitioner submits a representation to the said authority, appropriate necessary action would be taken in accordance with the procedure established by law.

5. Learned counsel for the petitioner would submit that a representation would be submitted to the afore-stated authority and therefore, the Writ Petition may be disposed of with appropriate directions.

6. Recording the submissions, the Writ Petition is disposed of reserving liberty to the petitioner to submit a fresh representation to the Assistant Commissioner of Police, Central Crime Station, Hyderabad. It is made clear that in the event the petitioner makes such a representation, the said authority shall dispose of the said representation as expeditiously as possible and preferably within three (3) weeks from the date of receipt of the representation, however, by following the procedure established by law.

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

There shall be no order as to costs.

M.SEETHARAMA MURTI, J

March 19, 2018
MD

