

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.8963 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 an appropriate writ, order or direction, more in the nature of Mandamus, declaring the inaction of respondents more particularly that of respondents 4 and 5, to investigate into actual cause of petitioner son's suspicious death allegedly caused due to fall from campus building on 06.12.2017 reported under FIR No 349/2017 dated 06.12.2017 on the file of P.S ARILOVA though the post mortem report is otherwise, as the same is intended to screen a drug racket run in the campus of 7th respondent university known to the officials of 7th respondent as being Illegal, Arbitrary, Un-Constitutional against the letter and Spirit of Guarantees under Constitution, violative of Articles 14 and 21 of Constitution of India apart from violative of Principles of natural Justice and Fair Play, and consequently direct the respondents to conduct the investigation and to file the charge sheet in the aforesaid FIR, and pass such other order or orders may deem fit and proper. ”

2. I have heard the submissions of *Sri Rama Rao Immaneni*, learned counsel appearing for the petitioner, and of the learned Government Pleader for Home (AP) and perused the material record.

3. Learned counsel for the petitioner would submit that the Writ Petition is filed challenging the inaction of the official respondent Nos.1 to 6 in investigating properly and finding out the real cause of the suspicious death of petitioner's son by fall from campus building of respondent No.7 institution. At the hearing, he would submit that if a direction is given to respondent No.5, the

Investigating Officer, to expedite the investigation and file a final report in accordance with the procedure established by law, the grievance of the petitioner stands redressed.

4. Learned Government Pleader for Home (AP) endorses the said submission.

5. Having regard to the facts and submissions, the Writ Petition is disposed of directing respondent No.5, the Investigating Officer, to expedite the investigation into the case in Crime No.349 of 2017 on the file of Arilova Police Station, Visakhapatnam City, and complete the investigation as expeditiously as possible and file a final report by strict adherence to 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