

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.9027 of 2018

ORDER:

This writ petition is filed by the petitioner for declaration that the action of the third respondent in refusing to receive the complaint dated 20.02.2018 given by the petitioner and register a crime against the fourth respondent, as illegal and unconstitutional.

2. Heard learned counsel for the petitioner and learned Government Pleader for Home (Telangana). Perused material record.

3. At the hearing, learned counsel for the petitioner, having narrated the contents in the writ petition, *inter alia* submitted that in the complaint submitted to the police, the petitioner stated that the fourth respondent committed an offence under Section 182 of the Indian Penal Code and that the said offence is non-cognizable and that the police refused to receive the said complaint and register a crime and that they failed to take action as contemplated under law and therefore, the present writ petition is filed.

4. Learned Government Pleader for Home, on instructions, would submit that after receipt of the complaint from the petitioner, an entry has been made in the Station General Diary and that since the offence alleged in the report filed is a non-cognizable offence, steps are being taken to file a requisition before the Court of the learned Magistrate for according permission to proceed in the matter.

5. Recording the submissions, the writ petition is disposed of directing the third respondent to file a requisition before the Court of the Magistrate concerned, within one week from the date of receipt of a copy of this

order, for necessary permission for proceeding in the matter, however, in strict accordance with procedure established by law.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

M.SEETHARAMA MURTI, J

Date: 20.03.2018
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