

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.9267 of 2018

ORDER:

This writ petition is filed seeking verbatim the following relief:

‘...to issue a writ, order or direction one in the nature of Mandamus declaring the inaction of the respondent No.2 in recording the statements in the crime of respondent No.4 to 7 is illegal, arbitrary and unconstitutional and consequently direct the 2nd respondent to record the statements of the Respondents 4 to 7 and be pleased to pass such other order or orders as this Hon’ble Court deems fit and proper in the circumstances of the case.’

Heard the submissions of Sri Rajagopallavan Tayi, learned counsel appearing for the petitioner, and of the learned Government Pleader for Home (AP) appearing for the respondents. Perused the material record.

Having regard to the facts and submissions, the Writ Petition is disposed of reserving liberty to the petitioner to submit a representation with all necessary details and supporting material, if any, to the 2nd respondent within a period of two (02) weeks from the date of receipt of a copy of this order. On the petitioner submitting such a representation, the investigating officer shall examine it in an unbiased manner and consider the request in the representation for examination of the witnesses mentioned therein if he is of the opinion that recording statements of such witnesses is necessary for arriving at a just opinion in the matter before filing the final report.

There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

M. SEETHARAMA MURTI, J

21.03.2018

Vjl