

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.10250 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 a writ, order or direction, more particularly one in nature of Writ of Mandamus declaring the action of the respondents 2 to 4 in opening and continuing the rowdy sheet vide Rowdy Sheet No.60/AN on the file of the Parigi Police Station, Anantapur District against the petitioner as illegal, arbitrary and consequently quash the same and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. I have heard the submissions of the learned counsel for the petitioner and of the learned Government Pleader for Home (A.P) representing the respondents. I have perused the material record.

3. At the hearing, learned counsel for the petitioner would submit that if a direction is given to the 3rd respondent, the Deputy Superintendent of Police, Penukonda, Anantapur District, to consider and dispose of the representation, dated 04.03.2018, the ends of justice would be met.

4. Learned Government Pleader for Home, in reply, would submit that the petitioner may be reserved liberty to file explanation/representation with supporting documents, if any, within

two weeks from the date of disposal of the writ petition to enable the Officer concerned to take a considered decision in the matter.

5. Having considered the averments in the affidavit filed in support of the writ petition, this Court is of the considered view that ends of justice would be met if the 3rd respondent is directed to take note of the circumstances as on date while reviewing the rowdy sheet, which was opened against the petitioner and which was challenged in the writ petition.

6. Accordingly, the Writ Petition is disposed of directing the 3rd respondent to consider and dispose of the afore-stated representation of the petitioner, as expeditiously as possible, after taking note of the circumstances as on date while arriving at considered decision in the matter in strict accordance with the procedure established by law. The petitioner is also reserved liberty to file explanation along with supporting documents, if any, within two weeks from today along with a copy of this order before the 3rd respondent to enable him to do the needful in the matter.

7. This Court has no reason to doubt that as and when such explanation/representation is filed by the petitioner, the 3rd respondent would examine it in the light of the law laid down by this Court in W.P.No.4688 of 2012, which was disposed of on 16.03.2017, and the precedents of this Court in **Sunkara Satyanarayana v. State of Andhra Pradesh**¹ and **B. Satyanarayana Reddy v. State of Andhra**

¹ 2000 (1) ALD (CrL.) 117 (AP)

Pradesh². It is made clear that the exercise as indicated in this order shall be completed within three months from the date of receipt of a copy of this order.

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

M.SEETHARAMA MURTI, J

28.03.2018
v v



² 2004 (1) ALD (CrI.) 38 = 2004 (2) ALT (CrI.) 115