

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.10335 of 2018

ORDER:

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

“For the reasons stated in the accompanying affidavit, the petitioner prays that this Hon’ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of Respondents No: 1 to 6 in not registering the crime and in not taking up any investigation on the complaint dated 11.11.2017 submitted by the petitioners against respondents No: 7 to 10 and others, for the offences committed by them, as illegal, irregular, and amounts to non-discharge of legal obligation conferred under the provisions of Code of Criminal Procedure, 1973 and violative of the provisions of Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989 and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015 and Article 14 of Constitution of India and consequently direct the Respondents No: 1 to 6 to Register Crime against Respondents No: 7 to 10 and others on the complaint of the petitioners dated 11.11.2017 and investigate into the offences and file Charge Sheet against the persons accused in the said crime expeditiously and 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 Sri *Sarath Kumar.D*, learned counsel appearing for the petitioners, and of the learned Government Pleader for Home (Telangana), appearing for the respondents 1 to 6. I have perused the material record.

3. The main grievance expressed by the petitioners is non-registration of crime on the report, dated 11.11.2017, submitted by the petitioners against the unofficial respondents 7 to 10.

4. At the hearing, learned counsel for the petitioners would submit that if a direction is given to register the crime and take up investigation, in accordance with procedure established by law, the grievance of the petitioners stands redressed.

5. Learned Government Pleader for Home, on written instructions, dated 04.04.2018, a copy of which is placed on record, would submit that one Sunnam Peddiraju and another person submitted a joint petition, dated 11.11.2017, to the Superintendent of Police, Bhadradri Kothagudem, and that based on the said report, a case in Crime No.84 of 2016 was registered, on 22.06.2017, by the Station House Officer, Chandragonda Police Station, and that there are three other crimes, viz., (i) Crime No.148 of 2016; (ii) Crime No.168 of 2016; and (iii) Crime No.3 of 2017, on the file of Chandragonda Police Station, and that enquiry into the first mentioned crime revealed that the allegations are false and that the complaint relates to a matter, civil in nature; and that, therefore, the Investigating Officer came to an opinion that no further action is necessary and that the result of such enquiry is communicated to the petitioners, on 03.04.2018.

6. In reply, learned counsel for the petitioners submitted that recording the submissions of the learned Government Pleader for Home, the writ petition may be disposed of reserving liberty to the petitioners to avail remedies available under law.

7. Recording the submissions, the Writ Petition is disposed of reserving liberty to the petitioners, as sought for. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order.

M.SEETHARAMA MURTI, J

Date: 17th April, 2018

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