

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

Writ Petition No.11586 of 2018

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking verbatim the following relief/s:

‘...to issue a writ, order or direction, more particularly one in nature of Writ of Mandamus declaring the action of the respondents 3 and 4 in opening and continuing the rowdy sheet vide Rowdy Sheet No.185 on the file of the I Town Police Station, Hindupur, 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 deems fit just and proper in the circumstances.’

I have heard the submissions of the learned counsel for the petitioner and of the learned Government Pleader for Home (AP) appearing for the respondents. I have perused the material record.

Learned counsel for the petitioner would submit that the case in which the petitioner was arraigned as an accused ended in acquittal and that there are no grounds for continuation of rowdy sheet no.185 on the file of I Town Police Station, Hindupur, Anantapur District, opened against the petitioner. He would further submit that if an opportunity is given to the petitioner to submit a representation and a consequential direction to the police officer concerned for considering the same in accordance with the procedure established by law, the ends of justice would be met.

Learned Government Pleader, while endorsing the said submissions, would submit that reasonable time may be granted for considering/disposing of the representation of the petitioner.

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.

Having regard to the facts and submissions, the Writ Petition is disposed of directing the petitioner to submit a representation as expeditiously as possible. It is made clear that on the petitioner submitting such a representation, the 3rd respondent shall consider and dispose of the same as expeditiously as possible and preferably within three (03) months from the date of receipt of such representation 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.

This Court has no reason to doubt that as and when such 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 Satyanarana v. State of Andhra Pradesh** [2000 (1) ALD (CrI) 117 (AP)] and **B. Satyanarayana Reddy v. State of Andhra Pradesh** [2004(1) ALD (CrI)38].

There shall be no order as to costs.

Miscellaneous petitions, pending if any, shall stand closed.

M. SEETHARAMA MURTI, J

09.04.2018

Vjl