

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.12604 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 or order more particularly one in the nature of writ of mandamus declaring the action of the respondents in interfering with petitioner son namely Mohd. Khaleel @ Motu Khaleel @ Motu and our day to day life and liberty of the us without there being any cause or concern that too without following due process of law as illegal, arbitrary, unjust and also against the Article 14, 19 and 21 of Constitution of India and consequential directions to the respondents not to interfere with my son namely Mohd. Khaleel @ Motu Khaleel @ Motu and our day to day life and liberty of us without there being cause or concern that too without following due process of law forthwith.”

2. I have heard the submissions of Sri Karunakar Reddy, learned counsel for the petitioner, and of the learned Government Pleader for Home (TG), appearing for the respondents 1 to 5. I have perused the material record.

3. At the hearing, learned counsel for the petitioner would submit as follows:

The police officials are interfering with the life and personal liberty of the son of the petitioner without following the due process of law and hence, the writ petition is filed. The son of the petitioner is suffering from certain ailments. He was advised by a Doctor/Consultant Psychiatrist of Yashoda Hospital to take bed rest for six months. The son of the petitioner is recovering from

the illness. He is not in a position to attend the police station as and when called by the police in view of his illness.

4. Learned Government Pleader for Home, on written instructions, dated 11.04.2018, a copy of which is placed on record, would submit as follows:

A case in Crime No.11 of 2017 was registered on the file of Abid Road Police Station, Hyderabad, for the offences punishable under Sections 406, 420 and 506 of the Indian Penal Code. The said crime is under investigation. Considering the conduct and character of the petitioner's son, a rowdy sheet, which was opened, is being continued; that the petitioner's son is not being regularly called to the police station; that all the rowdy sheeters generally will be called and will be counselled by the officers concerned on the occasions of main festivals i.e., Hanuman Jayanthi, Ramzan, Ganesh Chaturthi etc., and at the time of elections; that the petitioner's son, who is involved in several cases, is threatening the public and is involving himself in property settlements. To save her son from actions initiated against the unlawful activities, the petitioner filed the present writ petition.

5. Recording the submissions, the Writ Petition is disposed of directing the police officers not to call the petitioner's son to the police station except on occasions when his presence is required and for counselling on the occasions aforestated. However, this order shall not prevent the police from proceeding against the son of the petitioner in the event any crime is registered against him in future, however, in accordance with the procedure established by law. There shall be no order as to costs.

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

JUSTICE M.SEETHARAMA MURTI

Date: 23.04.2018
AMD



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