

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.14197 OF 2018

ORDER:

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

“to issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus, declaring the action of the respondents 2 to 4 in opening and continuation of the rowdy Sheet Proceedings No.463/2011 and rowdy sheet No.436/2007 on the role of 4th Respondent Police Station against the petitioners is illegal, irregular, arbitrary and violative of the Criminal Procedure Code and also offends Article 14, 21 of the Constitution of the India and consequently quash the rowdy sheet No.463/2011 and rowdy sheet No.436/2007 on the rolls of the fourth respondent and direct the respondents not to interfere with the liberty of the petitioners in any manner in the interest of justice.”

2. I have heard the submissions of Sri Mangena Sree Rama Rao, learned counsel for the petitioners, and of the learned Government Pleader for Home (A.P.), appearing for the respondents. I have perused the material record.

3. At the hearing, learned counsel for the petitioners submits that so far, no representations have been given requesting to close the rowdy sheets opened against the petitioners; that the petitioners are prepared to submit representations; and, that if the said representations are considered and disposed of in accordance with the procedure established by law, the grievance of the petitioners stands redressed.

4. Learned Government Pleader for Home submits that if the petitioners submit representations with supporting documents to the officer concerned, the same will be disposed of in accordance with the procedure established by law.

5. Having regard to the submissions, the Writ Petition is disposed of reserving liberty to the petitioners to submit representations with copies of supporting documents, if any, within two (2) weeks from the date of receipt of a copy of this order before the Sub-Divisional Police Officer, Narsapuram/respondent No.3 herein requesting to close the rowdy sheets. It is made clear that in the event the petitioners submit any such representations, respondent No.3 shall consider and dispose of the same, as expeditiously as possible, after taking note of the circumstances as on the date of arriving at a considered decision in the matter in strict accordance with the procedure established by law.

6. This Court has no reason to doubt that as and when such explanations/representations are filed by the petitioners, respondent No.3 would examine them 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 Pradesh**². It is made clear that the exercise, as indicated in this order, shall be completed within three (3) months from the date of receipt of a copy of this order. There shall be no order as to costs.

¹ 2000 (1) ALD (CrI.) 117 (AP)

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

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

JUSTICE M.SEETHARAMA MURTI

Date: 30.04.2018
AMD



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