

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.15568 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 writ, order, direction more particularly one in the nature of writ of mandamus directing the respondent No. 2 to conduct re-investigation in crime No.386 of 2015 pending on the file of PS Karimnagar, One town, by setting aside the final report dated 31-10-2017 and to file charge sheet in the case against the 3rd respondent and consequently declare the action of 2nd respondent in filing final report before Hon’ble V Addl. District and Sessions judge, Karimnagar, in crime No.386/2015 by mentioning that the dispute is of civil nature as illegal and arbitrary.”

2. I have heard the submissions of Sri P.Ravi Kiran, learned counsel for the petitioner, and of the learned Government Pleader for Home (TG), appearing for the respondents 1 and 2. I have perused the material record.

3. At the hearing, learned Government Pleader for Home submits that after completion of the investigation into the aforestated crime, a final report has been filed.

4. In reply, learned counsel for the petitioner submits that the investigation was not conducted on proper lines; and, that therefore, conduct of re-investigation into the aforestated crime is necessary in the interest of justice.

5. In view of the settled legal position, an efficacious alternative remedy is available to the petitioner insofar as the grievances expressed by the petitioner. In that view of the matter, the Writ

Petition is disposed of reserving liberty to the petitioner to follow the procedure established by law for redressal of his grievances, if any, if so desired, and if so advised. 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: 30.04.2018
AMD



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