

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.15857 of 2018

ORDER:

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

“For the reasons stated in the affidavit, filed in support of writ petition, the petitioner herein prays that the 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 3rd respondent in calling the petitioner to the Khammam Rural Police Station on the guise of suspect sheet is illegal, arbitrary, atrocious, amounts to infringing of right to live with dignity, violative of Article 14 & 21 of the Constitution of India and consequently direct the respondents not to interfere with petitioner personal life except as per law 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 *G.Tuhin Kumar*, learned counsel appearing for the petitioner, and of the learned Government Pleader for Home (Telangana), appearing for the respondents 1 to 3. I have perused the material record.

3. Learned counsel for the petitioner submits that against the petitioner, the crimes, as stated in the writ petition, are registered and that the Calender Cases, which were taken on file pursuant to the subject crimes, ended in acquittal and the petitioner is not involved in any other crimes and that despite the said fact, a suspect sheet is opened against the petitioner and that on that count, his life and liberty are being interfered with and that, on 22.01.2018, a survey team has visited the

petitioner's residence and took details of the cases in which the petitioner was involved and which ended in acquittal and that despite all the facts, the suspect sheet is being continued.

4. Learned Government Pleader for Home, on written instructions, dated 30.04.2018, a copy of which is placed on record, would submit that the petitioner is earlier involved in four Calender Cases and one STC, wherein the offences are property offences and that in view of his unlawful and criminal activities, the Sub Divisional Police Officer, Khammam, opened a suspect sheet, on 01.01.2014, on the rolls of the Khammam Rural Police Station, and that the same is being renewed and continued and that there are oral complaints received from the local public that the petitioner is committing unlawful activities and that out of fear, nobody is coming forward to lodge a complaint against him.

5. Learned counsel for the petitioner fairly submits that the petitioner has not, so far, submitted any representation for closure of the suspect sheet opened against him.

6. At the hearing, learned counsel for the petitioner submits that the petitioner is willing to submit a representation for closure of the suspect sheet, and, hence, a direction may be given to the competent Police Officer to consider and dispose of the same as per law.

7. Having regard to the submissions, the Writ Petition is disposed of directing the petitioner to submit, to the City Commissioner of Police, Khammam, a representation, with

supporting documents and with a request for closure of the suspect sheet. In the event the petitioner submits any such representation, the Officer shall expeditiously dispose of the same, preferably within two months, however, after taking note of the circumstances as on the date of arriving at the decision in the matter, in strict accordance with procedure established by law. There shall be no order as to costs.

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

M.SEETHARAMA MURTI, J

Date: 2nd May, 2018

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