

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.16156 of 2018

ORDER:

In this Writ Petition, under Article 226 of the Constitution of India, the only grievance of the writ petitioner is in respect of non-registration of a criminal case pursuant to the directions in the Memo, dated 03.04.2018, of the Superintendent of Police, Ananthapuram District/2nd respondent herein, given to the Sub-Divisional Police Officer, Penukonda, to take suitable action on the representation, dated 21.03.2018, of the petitioner.

2. I have heard the submissions of Sri *N.Ranga Reddy*, learned counsel appearing for the petitioner, and of the learned Government Pleader for Home (A.P.), appearing for the respondents 1 to 4. I have perused the material record.

3. Learned counsel for the petitioner submits that the petitioner lodged a complaint with the Superintendent of Police, Ananthapuram District/2nd respondent herein, and that by a Memo, dated 03.04.2018, the Superintendent of Police directed the Sub-Divisional Police Officer, Penukonda, to enquire into the matter personally and furnish a report by 10.04.2018 for taking further action in the matter, but the Sub-Divisional Police Officer and the Station House Officer, Somandepalli Police Station, Ananthapuram District/4th respondent herein, failed to take suitable action and failed to report to the Superintendent of Police and, hence, the writ petition is filed.

4. At the hearing, learned counsel for the petitioner further submits that if a direction is given to take suitable action, by following the precedential guidelines in **Lalita Kumari Vs. Government of Uttar Pradesh**¹, the grievance of the petitioner stands redressed.

5. Learned Government Pleader, on written instructions, dated 30.04.2018, a copy of which is placed on record would submit as follows: 'On the receipt of the representation of the petitioner forwarded by the Superintendent of Police along with letter, dated 03.04.2018, a preliminary enquiry was conducted; that the same revealed that the 5th respondent did not threaten the petitioner; that the 5th respondent as well as the villagers had appeared before the Police Officer, but the petitioner did not approach the Police Officer and did not co-operate with the enquiry and that as such, the 4th respondent could not take any action on the representation of the petitioner.'

6. Learned Government Pleader further submits on the basis of the written instructions that it is not possible to provide police protection to the petitioner, as there is no threat perception.

7. Having regard to the submissions, the Writ Petition is disposed of directing the Sub-Divisional Police Officer, Penukonda, as well as the Station House Officer, Somandepalli Police Station, Ananthapuram District/4th respondent herein, to take suitable action on the representation of the petitioner, dated 21.03.2018, as directed in the Memo, dated 03.04.2018,

¹ (2014) 2 SCC 1

of the Superintendent of Police, Ananthapuram District/2nd respondent herein, and in accordance with the precedential guidelines **Lalita Kumari's Case (Supra 1)**. 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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