

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WP No.24484 of 2018

ORDER:

This writ petition is filed seeking to issue a writ of mandamus to declare the in-action on the part of the respondents in registering the complaint dated 27-01-2018 lodged by the petitioner against respondent No.6 as being illegal, arbitrary and violative of the provisions of the Code of Criminal Procedure as well as the guidelines of the Supreme Court issued in **LALITHA KUMARI v. GOVERNMENT OF UTTAR PRADESH** (2014) 2 SCC 1), and for issuance of consequential directions.

The case of the petitioner is that she is working as Store Keeper in SKVT Degree College, where respondent No.6 is also working as Senior Assistant. That on 23-09-2017, respondent No.6 caught-hold of her hands and behaved strangely and demanded to fulfil his carnal desire. That narrating about the harassment in the hands of respondent No.6 to her, the petitioner lodged a complaint on 27-01-2018 to respondent No.3, who in turn forwarded

the same to respondents 4 and 5 for enquiry and to take steps in the matter. That the enquiries of the petitioner with respondent No.4 revealed that the complaint lodged by her was closed and information to that effect was also sent to the College since the incident happened in the College and where both the petitioner and respondent No.6 work. That the petitioner was not informed about the closure of the complaint against the respondent No.6 by respondent No.4. The petitioner also states that the College authorities have also refused to give CCTV footage which covered the incident on the fateful day and the College authorities protected the respondent No.6 from escaping the clutches of justice. Hence, this writ petition.

Learned Assistant Government Pleader for Home appearing for the official respondents produced written instructions; wherein it is stated that on receipt of the complaint from the petitioner, respondent No.4 enquired into the matter with the staff of the SKVT Degree College and by recording their statements, who stated that

respondent No.6 is not involved in any controversy as alleged by the petitioner. It is also stated that respondent No.6 is transferred to another section and at present there is no dispute between him and the petitioner. That respondent No. 4 also addressed a letter to respondent No.3 on 15-03-2018 stating that no further action is necessary in the matter.

Heard learned counsel for the petitioner and the learned Assistant Government Pleader for Home.

The Hon'ble Apex Court in **LALITHA KUMARI**'s case laid down guidelines to be followed by the police and obligation of police to register F.I.R. under Section 154 Cr.P.C. In this case the case of respondent-police that on enquiry the complaint made by the petitioner does not disclose commission cognizable offence and they choose to close the complaint. But the petitioner states that no information was received by her from the respondent-Police as to the closing of the complaint lodged by her.

In the above facts and circumstances, this writ petition is disposed of with a direction to the respondent-police to inform the decision taken on the complaint of the petitioner if not already communicated. If the petitioner aggrieved by the same, the petitioner is at liberty to avail alternative remedy available to her under law. Miscellaneous petitions if any pending shall stand disposed of. There shall be no order as to costs.

27-07-2018
NVL/Nrg



A.RAJASHEKER REDDY, J

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Dated: 27-07-2018

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