

HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.16838 of 2015

ORDER:

There is no representation on behalf of the petitioners.

The prayer sought in the writ petition is as under:

“... to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring inaction on the part of respondents 1 to 8 on petitioners' representation/report dated 02.01.2015 submitted for prosecution of offenders and initiating disciplinary action against respondents 9 to 14 for the acts of the crime and misconduct in service committed by them as illegal, irregular, irrational, amounts to non-discharge of legal obligation conferred on respondents 1 to 8 under the provisions of the Code of Criminal Procedure 1973; Indian Penal Code, 1860 and Andhra Pradesh Civil Services (CCA) Rules, 1991 and offends Articles 14 and 21 of Constitution of India and consequently direct the respondents 1 to 8 to prosecute respondents 9 to 14 for their acts of crime and take disciplinary action against them in accordance with law.”

During the course of hearing, learned Government Pleader placed on record the written instructions dated 29.06.2015 issued by the Sub-Divisional Police Officer, Eluru Sub-Division, Eluru.

From a perusal of the said instructions, it is evident that against the 1st petitioner originally a rowdy sheet was opened vide history sheet No.42 of 1992 at Tadepalligudem Town Police Station vide C.No.2/Co-Con/1992 dated 16.06.1992. Later, the said rowdy sheet was transferred to Chebrole police station and maintained until 2011. In fact, the 1st petitioner was involved in Crime Nos.16 of 1992, 31 of 1997, 56 of 1998, 107 of 1998 and 52 of 1999 for various offences under IPC. In some cases, the 1st petitioner was acquitted. In 2011, the 1st petitioner migrated to Godugupeta Village, Dwaraka Tirumala Mandal. The history sheet was also transferred to the said police station limits from Chebrole police station and maintained a close watch on the movements of the 1st petitioner. On 01.03.2010, the 1st petitioner was arrested by the Station House Officer, T. Narasapuram police station in

Crime No.17 of 2010 for the offence under Section 420 IPC, since he was cheating the public by issuing fake currency. Even on 11.06.2014, the 1st petitioner was shown as an accused in Crime No.93 of 2014 and sent to judicial custody. It is also stated in the written instructions that the money transaction between the 1st petitioner and respondent Nos.10 and 11 does not pertain to respondent Nos.12 to 14 and they are unaware of the same. In fact, respondent Nos.12 to 14 never summoned the 1st petitioner and never threatened him. It is also mentioned that the petitioner never approached respondent Nos.1 to 8 and never lodged a written complaint asking for enquiry.

Having heard the learned Government Pleader and from a perusal of the material on record, it is revealed that the 1st petitioner is having criminal history apart from indulging in cheating cases. In fact, the 1st petitioner is also involved in a murder case of one K. Durgaiyah on 05.10.2011 at Nimmalagudem Vidllage, Jangareddygudem over monitory dispute, which is the subject matter of Crime No.45 of 2011 for the offence under Section 302 read with 34 IPC of Lakkavaram Police Station. In the light of the above, the allegation of the petitioner that respondent Nos.1 to 8 are not taking action on his representation dated 02.01.2015 is not correct. Therefore, this Court is of the opinion that there are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

Miscellaneous petitions, if any, shall also stand dismissed.

P. KESHAHA RAO, J

Date: 27.11.2018.
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