

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.32945 of 2018

ORDER:

In this writ petition, under Article 226 of the Constitution of India, the only grievance of the petitioner is with regard to the inaction of the respondents 2 & 3 in registering a crime on the report, dated 31.07.2018, said to have been lodged by the petitioner with the said police officers. A consequential relief to direct the 3rd respondent to register a crime against respondents 4 to 13 on the basis of the said report is also sought in the writ petition.

2. I have heard the submissions of the learned counsel appearing for the petitioner and of the learned Government Pleader for Home (TS) appearing for the respondents. I have perused the material record.

3. At the hearing, learned counsel appearing for the petitioner submitted that the report/ complaint, dated 31.07.2018, was sent to the Station House Officer, Chandur Police Station, and also to the Superintendent of Police, Nalgonda District, by registered post; and, yet, no action is taken on the said report/ complaint. Hence, the writ petition is filed.

4. Learned Government Pleader for Home, on written instructions, dated 14.09.2018, a copy of which is placed on record, would submit that since the petitioner is involved in two crimes and a suspicion arose as to whether the cover received by registered post contain any written complaint or not, steps have been taken for opening the said cover received by registered post in the presence of Post Master & others under the cover of a panchanama; and, on opening of the said cover, it is noticed that the cover contains only white papers. Learned Government Pleader further states that it is always open to the petitioner to approach the Police Station and lodge a fresh

report/ complaint or furnish a copy of the report/ complaint, dated 31.07.2018, if he is desirous of any action to be taken on the said report/ complaint.

5. Without going into the merits of the matter and without expressing any opinion as to which one of the two versions is correct, the Writ Petition is disposed of with appropriate directions as indicated infra.

6. Accordingly, the Writ Petition is disposed of reserving liberty to the petitioner to furnish a fresh copy of the report/ complaint, dated 31.07.2018, to the Station House Officer, Chandur Police Station, the 3rd respondent herein, within a week from the date of receipt of a copy of this order. It is needless to state that in the event the petitioner furnishes a copy of the said report/ complaint, the said police officer shall do the needful in the matter as expeditiously as possible by following the precedential guidance laid down by the Constitutional Bench of the Supreme Court in the decision in Lalita Kumari vs Govt. of U.P.¹

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

14th September, 2018
RAR

M. SEETHARAMA MURTI, J

¹ (2014) 2 SCC 1