

THE HON'BLE SRI JUSTICE T. AMARNATH GOUD

WRIT PETITION No.19167 OF 2013

ORDER:

Heard.

2. This Writ Petition is filed to declare the action of respondents 9, 10, 11 and 16 in demanding bribe amount from the petitioner through SMS for closing Crime No.92 of 2013 on the file of IV Town Police Station, Dwaraka Zone, Visakhapatnam, as illegal and arbitrary. He seeks consequential direction to respondent No.1 to pay compensation of Rs.50.00 lakhs to him for the illegal acts of respondent officials.

3. The case of the petitioner is that he made serious allegations against the respondent officials for abusing their powers. The grievance of the petitioner is that despite making complaints before the superior officers of the police department, no action has been taken. Hence, this writ petition.

4. Learned Assistant Government Pleader for Home, on the statement made in the counter affidavit, submits that neither the complainant nor the petitioner is available to proceed with the investigation as their whereabouts are not known.

5. This Court cannot grant the relief as prayed for by the petitioner under Article 226 of the Constitution of India and the request is negatived. However, having regard to the serious allegations made by the petitioner against the respondent officials, the petitioner can be granted liberty to file a complaint before the appropriate forum.

6. In the facts and circumstances of the case, without expressing any opinion on the allegations and counter allegations, this Writ Petition is dismissed granting liberty to the petitioner to avail appropriate remedy in accordance with law. There shall be no order as to costs. Pending Miscellaneous Petitions, if any, shall stand closed.

T. AMARNATH GOUD, J

Date:17.12.2018

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