

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION No.30839 OF 2015

ORDER:

Heard the learned counsel for the petitioner and learned Government Pleader appearing for the respondents 1 to 4.

The prayer sought for 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 the action of the S. H. O., Marikal, Mahaboobnagar District in not taking action in FIR No. 88/2014 against the suspicious person so far as illegal, arbitrary and opposed the provisions of the Art. 14, 16, 19 and 300-A of the Constitution of India and consequently direct the SHO, Marikal Mahaboobnagar to arrest the 5th respondent along with associates.”

The specific case of the petitioner is that he married deceased-Sujatha 8 years prior to filing of the writ petition. By profession, he is a shepherd. At the time of death of his wife, he was in Guntur. On 15.09.2014, he received a message that his wife committed suicide by hanging. Immediately, he rushed to his village. On the next day, his wife was buried according to their customs. However, they got suspicion about the death of deceased and doubted that there is some role of 5th respondent in the death of his wife. Therefore, on 22.09.2014 basing on the complaint lodged by him, a case in Crime No.88 of 2014 under Section 174 of Cr.P.C. was registered. In spite of registration of crime, no proper investigation was done. Therefore, the present writ petition is filed.

The learned Government Pleader placed on record the written instructions dated 28.09.2015 issued by the Sub-Inspector

of Police, Marikal Police Station. The same is made part of the record. From the perusal of the instructions, it is evident that pursuant to the registration of crime, an impartial investigation was conducted and a final report was filed referring the case as 'action drop', before the Executive Magistrate, Dhanwada on 01.08.2015.

In view of the above, no further orders are required in the writ petition since the grievance of the petitioner has been redressed in the form of completing the investigation and filing a final report. As such there are no merits and the writ petition is accordingly dismissed. It is needless to observe that the petitioner is at liberty to file a protest petition, if he is aggrieved by the final report filed by the respondent-police. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

P.KESHAHA RAO,J

06th DECEMBER 2018.
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