

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.38213 of 2018

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for Home, apart from perusing the entire material available on record.

When the matter is taken up, written instructions, dated 29.10.2018, furnished by the Station House Officer, Kushaiguda Police Station, Rachakonda Commissionerate, are placed on record by the learned Government Pleader. The said instructions, to the extent of their relevance to the present Writ Petition, are as under:

"It is submitted that the petitioner has sent a report by post to Kushaiguda PS, Rachakonda Commissionerate. The same was received by the Police Station on 25.10.2018. In the report, it is stated that he purchased Plot No 61 admeasuring 468.88 sq yds. covered by Sy No.296 m VamsarajMallesh, S/o Lakshmaiah. On 19.10.2018 when he went to construct on the said land, Kokanda Ravi, Kokkanda Balraj and P. Palraj of Charlapali village have attacked him., abused him in filthy language by touching his caste name. They further stated that, since he belongs to Madiga Community, he cannot construct house beside their house. He requested to take action against them under SC/ST Act.

It is submitted that, on receipt of the above report by post on 25.10.2018, the Inspector of Police, Kushaiguda Ps, Rachakonda Commisisonerate registered a case in Crime No.779/2018 u/s 447, 323 IPC and Section 3 (1)(r)(s)(g), 2 (Va) of SC/STS (POA It is submitted that, since the FIR was registered under SC/ST POA) Act, 1989 (Amendment Act No.1/2016), dated 25.10.2018 at 17.10 hours.

It is submitted that, since the FIR was registered under SC/ST POA Act, the Commissioner of Police was requested to appoint the Investigation Officer in the rank

of Assistant Commissioner of Police for further investigation in the Crime and in pursuance of the same, the ACP, Kushaiguda Division took up the case for investigation.

In view of the above, it is submitted that, it is not correct to contend that the police have not taken any action on the petitioner's report. It is submitted that, action has already been taken on the petitioner's report. The petitioner without knowing the above fact, filed the Writ Petition alleging that Police have not acted upon his report”.

By placing on record the above written instructions Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

08th November, 2018
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A.V. SESA SAI, J