

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

WRIT PETITION No.43803 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.

The alleged inaction, on the part of the second respondent, in considering the representation, dated 11.04.2018, submitted by the petitioner herein, wherein he requested for deletion of his name from the rowdy sheet, is under challenge in the present Writ Petition.

According to the learned counsel for the petitioner so far there is no conviction against the petitioner herein and all the cases registered against the petitioner ended in acquittal, as such, the impugned action on the part of the respondents is in contravention of the Police Standing Orders, 601 and the questioned action is also violative of Articles 14 and 21 of the Constitution of India.

On the other hand, it is submitted by the learned Government Pleader that, in view of the involvement of the petitioner in certain crimes earlier and in order to have a watch on his movements, it has become incumbent on the part of the respondent-police authorities to continue rowdy sheet against the petitioner herein.

The provisions of the Police Standing Orders, 601 are penal in nature and, as such, strict adherence to the said

provisions is mandatory. Unless an individual falls under the contingencies, as mentioned in clauses (a) to (i) of the Police Standing Orders, 601, no rowdy sheet can be opened and continued. In fact, petitioner herein submitted a representation on 11.04.2018 to the second respondent herein.

In view of the above, this Court deems it appropriate to dispose of the Writ Petition, with a direction to the second respondent to verify the representation/application, dated 11.04.2018, said to have been submitted by the petitioner herein, and pass appropriate orders, strictly in accordance with law, and in accordance with the Police Standing Orders, 601 and the observations made in the preceding paragraphs, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

Accordingly, 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.

A.V. SESA SAI, J

03rd December, 2018

Note:

Furnish C.C. within three days.

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