

HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.32504 of 2013

ORDER:

There is no representation on behalf of the petitioner.

2. The prayer sought in the writ petition is as under:

"..the Hon'ble Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd and 3rd respondents in opening of the Rowdy Sheet against the petitioners without there being any two cases pending against the petitioners, is illegal, arbitrary and violation of principles of natural justice and consequently direct respondents to close the rowdy sheet against the petitioners vide Rowdy Sheet Nos.91/SDPO/P/13 and 92/SDPO/P/13 forthwith and pass such other order or orders may deem fit and proper in the circumstances of the case."

3. The basic grievance of the petitioners in the writ petition is that, the respondent Nos.2 and 3 opened rowdy sheet against the petitioners without there being any two cases pending against them as arbitrary and illegal.

4. The learned Government Pleader appearing for the respondents 1 to 3 placed on record written instructions dated 18.11.2019 issued by the Assistant Sub-Inspector of Police, Ramadugu Police Station, Karimnagar District.

5. From a perusal of the said instructions, it is revealed that in Cr.No.103 of 2006, (SC.No.252 of 2008), the case ended in acquittal. In Cr.No.10 of 2013, (CC.No.957 of 2013), the case is pending trial. As far as Cr.No.67 of 1990 is concerned, the case ended in conviction vide SC.No.644 of 1993. Cr.No.11 of 1996 is compromised before the Lok Adalat. Therefore, the rowdy sheet is being maintained till the date of issuance of the instructions.

6. Therefore, as of now, one case is pending trial against the petitioners and in one case, the matter ended in conviction. In other two cases, bind over order was passed. Relying on one of solitary case, the rowdy sheet cannot be continued. Therefore, the petitioners are given liberty to approach the concerned authority i.e. respondent No.2 and submit detailed representation. Upon which, the respondent No.2 is directed to review the same and pass appropriate orders within a period of four (4) weeks from the date of receipt of the representation.

With the above said observation, the writ petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

P. KESHA RAO, J

November 21, 2019
YSK/DSK

