

THE HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.10458 OF 2012

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Home appearing for respondents 1 to 3.

2. The prayer sought in the Writ Petition is as under:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this 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 respondent No.3 in registering a case in Crime No.77 of 2012 of Narayanguda Police Station under Sections 3, 3 (1) (ix), 4 and 8 of Scheduled Caste and Scheduled Tribe (POA) Act on a false complaint filed by the 4th respondent as illegal, arbitrary and null and void and against the principles of natural justice, consequently direct the respondent No.2 to refrain from taking action on the crime No.77 of 2012 of Narayanguda P.S. as the ingredients of the provisions of S.C. S.T. Act are not attracted and pass such other order or orders as this Hon’ble court may deem fit and proper in the circumstances of the case, and to pass such other order or orders as this Hon’ble Court may deem fit just and proper in the circumstances of the case.”

3. During the course of arguments, it is brought to the notice of this Court that pursuant to the complaint made by respondent No.4, Crime No.77 of 2012 for the offences under Sections 3, 3 (1) (ix), 4 and 8 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act was registered. After completion of the investigation, a final report was filed before the learned IX Additional Chief Metropolitan Magistrate, Hyderabad, referring it to be a mistake of fact. In fact, notice dated 30.01.2013 was

also issued to respondent No.4 to take steps to oppose the final report, if she has any objection.

4. In that view of the matter, this Court is of the opinion that no further cause would survive in the present Writ Petition.

5. The Writ Petition is accordingly dismissed. There shall be no order as to costs. Pending miscellaneous petitions, if any, shall stand closed.

P. KESHA RAO, J

Date:17.09.2019

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