

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.7227 OF 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of respondent No.2 in not taking action on the representation, dated 25.02.2019, of the petitioner, as illegal and arbitrary and consequently, to direct respondent No.2 to dispose of the representation, dated 25.02.2019, of the petitioner.

2. Heard Sri P. Lalitha Kamesh, learned counsel for the petitioner, and Sri G. Malla Reddy, learned Assistant Government Pleader for Home, appearing for respondent Nos.1 to 4, and perused the record.

3. Learned counsel for the petitioner would contend that the Investigating Officer demanded an amount of Rs.1,00,000/- as bribe to file charge sheet against the accused in Crime No.75 of 2018 of Nagaram Police Station, Suryapet District. Therefore, the petitioner submitted a representation, dated 25.02.2019, to respondent No.2. No action is taken on the said representation, dated 25.02.2019, given to respondent No.2. Therefore, the subject Writ Petition is filed.

4. Respondent No.3/Superintendent of Police, Suryapet District, filed counter on his behalf and on behalf of respondent Nos.1, 2 and 4, wherein it is stated that respondent No.2 vide letter, dated 07.03.2019, forwarded the representation, dated

25.02.2019, of the petitioner to respondent No.3, who, in turn, forwarded the same to the Sub-Divisional Police Officer, Suryapet, vide letter, dated 23.03.2019, to conduct discrete enquiry in the matter and the Sub-Divisional Police Officer, conducted discrete enquiry in the matter and submitted a report, dated 05.04.2019. It is also stated that Final Report is filed in the subject crime and the allegations made in the Writ Petition against the police officials and the accused in the subject crime were proved to be false. It is also brought to the notice of this Court that before filing the Final Report, a notice was given to the petitioner to work out the remedies available in law. The petitioner did not choose to file objections before the criminal Court, where Final Report in the subject crime is filed. It is also borne by record that there are some civil disputes between the parties.

5. It is pertinent to state that respondent No.2 caused enquiry pursuant to the representation, dated 25.02.2019, given by the petitioner and Final Report is filed in the subject crime. The contentions raised in this Writ Petition are unsustainable. It is made clear that the petitioner has to file a protest application and work out the remedies available under the Code of Criminal Procedure, 1973, as contended on behalf of the respondent police officials.

6. With the above observation and findings, the Writ Petition is disposed of at the stage of admission.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

Dr. SHAMEEM AKTHER, J

April 22, 2019.
MD

