

HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.22282 of 2015

ORDER:

There is no representation on behalf of the petitioners.

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

"..the Hon'ble Court may be pleased to issue an appropriate writ order or direction more particularly one in the nature of Writ of Mandamus under Article 226 of the Constitution of India directing the 2nd respondent to refer the petitioners complaints dated 28-4-2014, 27-9-2014 and 28-10-2014 on the file of the S.H.O., Ghatkesar P.S., Cyberabad to the SC ST Cell, CB CID, Lakdikapul, Hyderabad for a fair investigation so as to punish the culprits under the provisions of the Penal Code and the Provisions of the SC and ST (POA) Act, 1989 as expeditiously as possible and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice."

3. Though the petitioners sought a specific direction that the complaints dated 28.04.2014, 27.09.2014 and 28.10.2014 on the file of the Station House Officer, Ghatkesar Police Station, Cyberabad should be transferred to the SC ST Cell, CB CID for a fair investigation, the CB CID is not a party to the writ petition.

4. However, the learned Government Pleader appearing for respondent Nos.1 and 2 placed on record the written instructions dated 05.12.2019 issued by the Sub-Inspector of Police, Ghatkesar Police Station, Rachakonda Commissionerate.

5. From a perusal of the said written instructions, it is revealed that pursuant to the complaint lodged by the petitioners, two cases, vide Cr.No.300 of 2012 and Cr.No.251 of 2014, have been registered. As far as Cr.No.300 of 2012 is concerned, after investigation, the case was referred as civil in nature on 29.03.2015. Similarly, Cr.No.251 of 2014 was also referred as civil in nature on 22.07.2015.

6. If the petitioners have got any grievance against the said reports, filed under Section 173 of the Criminal Procedure Code, the remedy available to the petitioner is by way of protest application as per the provisions of Cr.P.C. In that view of the matter, this Court is of the opinion that no further cause would survive in the writ petition and the same is liable to be closed.

Accordingly, the writ petition is closed. As a sequel thereto, pending miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

P. KESHAVA RAO, J

December 9, 2019
DSK

