

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.9326 of 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of the respondent police in not taking action against the culprits pursuant to the written complaint dated 15.04.2019 followed by personal visits, as being illegal, arbitrary, unjust and unconstitutional and consequently direct the respondent police to forthwith act upon the said complaint in accordance with law.

2. Heard the learned counsel for the petitioner, the learned Government Pleader for Home, appearing for respondents and perused the record.

3. Learned counsel for the petitioner contends that though the petitioner lodged a complaint dated 08.04.2019 with the police and thereafter made a representation dated 15.04.2019, no action has been taken so far.

4. Admittedly, the petitioner is an Advocate and it appears from the record that there are property disputes between the petitioner and her sister. When no action has been taken on her report and representation in which there is specific mention of cognizable offences, the petitioner has an efficacious remedy available to file a private complaint under Section 200 Cr.P.C.

5. Considering the totality of the circumstances of the case, it is left open to the petitioner to work out her remedies available before the competent criminal Court.

6. With the above observation, the Writ Petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed.

There shall be no order as to costs.

DR. SHAMEEM AKTHER, J

Date: 29.04.2019
ssp

