

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION NO.2114 OF 2015

ORDER:

There is no representation on behalf of the petitioner

The prayer sought in the writ petition reads as under:

“.....Writ of Mandamus, declaring the inaction of the 3rd respondent in taking action on the representation of the petitioner dated 20.12.2014 with regard to the illegal and unethical acts of the 6th respondent in capacity of 5th respondent as illegal, arbitrary, unjust, discriminatory and consequently, direct the 3rd respondent to act in accordance with law on the representation of the petitioner dated 20.12.2014 and take necessary action against the 6th respondent and to pass such other.....”

Today, when the matter is called, learned Government Pleader appearing for the respondents 1 to 5 placed on record the written instructions dated 09.02.2015 issued by the 5th respondent and the same are taken on record.

A perusal of the said written instructions would reveal that as per their records one E.Ramakrishna Reddy-7th respondent herein lodged a complaint vide Crime No.107/2014 under Section 307 r/w 34 IPC on the file of Alair Police Station, Nalgonda District on 03.07.2014.

The sum and substance of the complaint lodged by the 7th respondent is that on 03.07.2014 at 1700 hrs while he and his elder brother were doing agricultural work in their fields on 02.07.2014, their neighbours caused damage to the boundary poles of their fields. While renovating the boundary poles, the petitioner herein along with others attacked the 7th respondent

and his brother resulting in injuries to his left leg and tried to kill them. The writ petitioner herein is arraigned as accused No.2 in the said crime.

During the course of investigation, the 4th respondent being the Investigating Officer examined as many as 16 witnesses and recorded their detailed statements. Since the complaint as well as the statements make out a *prima facie* case against A1 to A4, final report was filed against the petitioner and others, for the offence under Section 307 r/w 34 IPC.

It is also mentioned in the written instructions that A1 to A4 confessed to have committed the offence, before the mediators i.e., LWs.15 and 16. In fact, all the accused were arrested on 04.07.2014 by following the due procedure and they were remanded to judicial custody.

Since the final report showed the petitioner herein as accused No.2, the petitioner bore grudge against 4th respondent and filed the writ petition with all false allegations. That apart, it is also mentioned that the 4th respondent who is impleaded as eo-nominee party as 5th respondent was already transferred in the month of August, 2014 and presently working at Kodada Rural Police Station, Nalgonda District.

It is further mentioned that after thoroughly verifying the records of the Alair Police Station, no petition dated 03.07.2014 purported to have lodged by the petitioner has been received. The petitioner did not approach the 5th respondent till the submission of the written instructions and if any representation

is received from the petitioner through proper channel, action will be taken by conducting a detailed enquiry into the matter.

In view of the above said instructions, this Court is of the opinion that no further cause would survive in the present writ petition.

Accordingly, the writ petition is dismissed. No order as to costs.

Pending miscellaneous petitions, if any, shall also stand dismissed.

P.KESHAHA RAO,J

Date:13.09.2019
dv



THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION NO.1558 OF 2015



Dated:13.09.2019