

HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.38887 of 2013

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader appearing for respondent Nos.1 to 3.

The prayer sought in the writ petition is as under:

“... to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus to declare the action of the respondent No.3 herein in not investigating into Cr.No.925/2011 though the said crime was registered on 28.09.2011, as being illegal, arbitrary and unjust and consequently direct the respondent No.2 herein to take action against the 3rd respondent for not discharging his duties.”

During the course of hearing, learned Government Pleader placed on record written instructions dated 08.11.2019 issued by the Sub-Inspector of Police, S.R. Nagar Police Station, Hyderabad.

From a perusal of the said written instructions, it is revealed that respondent No.3 received a Court referred complaint lodged by the petitioner on 28.09.2011 with regard to threatening and trespassing into his property. Pursuant to the said complaint, a case in Crime No.925 of 2011 was registered for the offence under Sections 447, 448 and 506 IPC against respondent Nos.4 and 5. During the course of examination, the petitioner was examined and recorded his detailed statement. After investigation, a final report was filed treating the case as “lack of evidence” after obtaining permission from the Assistant Commissioner of Police vide proceedings No.150 to 153/Per/Cr/ACP-PG/2015 dated 15.02.2015. It is also mentioned in the written instructions that notice was served to the petitioner. If the petitioner is not satisfied and if he has any objections, the remedy available to him is to file a protest application.

In that view of the matter, this Court is of the opinion that no further cause would survive in the writ petition.

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

Miscellaneous petitions, if any, shall also stand closed.

P. KESHAVA RAO, J

Date: 08.11.2019.
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