

HON'BLE SRI JUSTICE T. VINOD KUMAR

WRIT PETITION NO.24152 OF 2019

ORDER:

This Writ Petition is filed to declare the inaction of the respondents more particularly the respondent Nos.2 and 3 in investigating the case in FIR No.1115 of 2017 on the file of 3rd respondent and filing a final report/charge sheet therein, as being illegal, arbitrary and unconstitutional.

Heard learned Counsel for the petitioner and learned Assistant Government Pleader for Home.

Learned Assistant Government Pleader for Home, on written instructions dated 10.12.2019, submits that initially, a case was registered under FIR No.1115 of 2017 of P.S. KPHB, which was subsequently transferred to the 3rd respondent on 11.07.2018.

Learned Assistant Government Pleader for Home submits that the 2nd respondent after evaluating the evidence available on record, passed orders and permitted to refer the case as civil in nature vide Memo C. No.2206/C-9/EOW/CID-TS/2018 dated 14.11.2019. It is stated that a copy of the notice has been sent to the complainant through e-mail provided in the complaint. Learned Assistant Government Pleader further submits that after issuing notice to the complainant, final report is submitted before the Additional

Chief Metropolitan Magistrate, Nampally on 25.11.2019 vide SR. No.6655 of 2019.

Having regard to the above submission, since a final report has already filed before the concerned Magistrate Court, it is open for the petitioner to approach the concerned court, if the petitioner is aggrieved by the final report as filed and avail remedies in accordance with law.

Accordingly, the Writ Petition is closed. No order as to costs.

As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

T. VINOD KUMAR, J

Date: 10.12.2019.

MRKR