

THE HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.4792 of 2014

ORDER:

There is no representation on behalf of the petitioner.

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

“.....issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the Respondents 3 & 4 in not taking any action against the Respondents 5 & 6 who are interfering with the personal life and liberty of the petitioner and also harassing the petitioner and trying to take away her Minor daughter Hruthika Devi at the behest and influence of Respondents 5 & 6 and also not taking any action against them for their high handed and illegal acts towards the petitioner and her Minor daughter Hruthika Devi and also not providing protection in spite of the petitioner's representation and also not registering case against the 5th Respondent and Parents-in-Law for their harassment is illegal, arbitrary, unconstitutional and violative of article 14 and 21 of The Constitution of India and also contrary to the procedure contemplated under the code of Criminal Procedure and consequently direct the Respondents 3 & 4 not to interfere with the personal life and liberty of the petitioner and also direct the Respondents 3 & 4 take necessary action against the Respondents 5 & 6 for their high handed and illegal acts towards the petitioner and her Minor daughter Hruthika Devi in the interest of the justice and further to take action against the 5th Respondent and parents-in-law of the petitioner as per law and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

3. Learned Government Pleader placed on the record the written instructions, dated 20.02.2014, issued by the Sub-Inspector of Police, Vanasthalipuram Police Station, Cyberabad.

4. A perusal of the said written instructions would reveal that one Ch.Venkata Ramakrishna, S/o.Hanumantha Rao, i.e., the 5th

respondent herein, approached Vanasthalipuram Police Station on 12.02.2014 and lodged a complaint stating that on 09.02.2014 at 1830 hours his wife viz., Uma Devi, along with his daughter, by name, Baby Hruthika, left home without informing to anyone and she did not returned so far. Hence, requested the police to take necessary action. Based on the said complaint, a case in Crime No.140 of 2014 was registered under the head of 'woman missing' and 'girl missing' on the file of the Vanasthalipuram Police Station and investigation was taken up. As on the date of submission of written instructions to the office of learned Government Pleader, no clues were traced about the missing woman, i.e., the petitioner herein, and missing girl. However, the investigating agency is taking steps to trace the missing persons. When investigation is under the hectic progress, the present writ petition has been filed making baseless allegations against the respondent police. It is also specifically stated that except registering of the above said crime and proceeding with the case to trace out the missing persons, the respondent police never interfered with the life and liberty of the petitioner herein. The petitioner bore grudge against her husband, i.e. 5th respondent, who lodged a complaint with the respondent police, and filed the present writ petition leveling baseless allegations, which are far from truth. The respondent police never seen the petitioner or her daughter, who are missing persons. It is also stated that it is always open for the petitioner to approach the investigating agency and explain the details, so that action can be taken basing on the merits in the case. However, as per the records,

no representation, dated 13.02.2014, is received by respondent police and hence no action was taken out.

5. In the light of the above said written instructions, more particularly, when the representation, dated 13.02.2014, is not submitted to the respondent police, this Court is of the opinion that no further cause would survive in the writ petition. Hence, the writ petition is devoid of merits and liable to be dismissed.

6. Accordingly, the writ petition is dismissed. However, liberty is given to the petitioner to make a fresh application to the respondent police, upon which, the respondent police is directed to take necessary action, as per law.

Miscellaneous petitions pending, if any, shall stand dismissed.

No costs.

29th October 2019

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P. KESHAVA RAO, J