

THE HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.22781 of 2014

ORDER:

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

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

“... issue a writ or direction one in the nature of Mandamus declaring the action of the Respondents in not investigating the matter and not taking the action against the accused persons pursuant to the FIR No.96 of 2012 dated 25.04.2012 is arbitrary and illegal and consequently issue a direction to the Respondents to investigate into the matter and take appropriate action as per law and to pass any other order or orders appropriate in the case.”

3. Learned Government Pleader placed on record the written instructions, dated 30.10.2019, issued by the Head Constable, Vemulavada Town Police Station, Rajanna Siricilla District.

4. From a perusal of the said written instructions, it is revealed that on the complaint of the petitioner, a case in Crime No.96 of 2012 of Vemulavada Police Station was registered. During the course of investigation, witnesses were examined and their statements were recorded. After completion of investigation, as per the evidence of witnesses examined and evidence collected, it was disclosed that the matter is civil in nature and accordingly, a final report was filed before the Judicial Magistrate of First Class, Vemulavada, on 31.12.2018. It is also mentioned in the written instructions that a copy

of the notice regarding filing of the final report was served on the petitioner.

5. In that view of the matter, this Court is of the opinion that no further cause would survive in the writ petition and the same is liable to be dismissed.

6. Accordingly, the writ petition is dismissed. However, the petitioner is given liberty to take steps available to him, as per law, against the filing of the final report referring it as 'civil in nature'.

Miscellaneous petitions pending, if any, shall stand dismissed.

No costs.

31st October 2019

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P. KESHAVA RAO, J

