

THE HONOURABLE SRI JUSTICE P.KESHAVA RAO

WRIT PETITION No.1630 of 2015

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader appearing for respondents 1 to 5.

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

“.. to issue a writ order or direction more particularly one in nature of Writ of Mandamus declaring the action of the official respondents in not arresting the unofficial respondents No 6 and 7 in connection with Cr. No. 980/2014 dt. 07.12.2014 on the file of P S Hayathnagar Cyberabad, as illegal arbitrary and against the principles of natural justice and consequently direct the respondents No 2 to 5 to arrest the accused persons forthwith.”

3. The basic allegation made by the petitioner in the writ petition is that the official respondents i.e. respondents 2 to 5, are not arresting the unofficial respondents 6 and 7 in connection with Crime No.980 of 2014 on the file of the Hayathnagar Police Station, Cyberabad.

4. Learned Government Pleader for the Department of Home, representing respondents 1 to 5, placed on record the written instructions dated 18.02.2015, submitted by the Sub-Inspector of Police, Hayathnagar Police Station, Cyberabad Commissionerate.

5. A perusal of the said instructions would reveal that pursuant to the complaint made by the petitioner, Crime No.980 of 2014 for the offence under Sections 3 (i) (viii) of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 was registered on the file

of the Hayathnagar Police Station, Cyberabad and as per the instructions of the Commissioner of Police, Cyberabad, the Assistant Commissioner of Police, Vanasthalipuram Division has taken up the investigation. During the course of investigation, as many as five witnesses were examined and recorded their detailed statements and the investigation was still in progress for collection of documentary evidence to prove the offence.

6. However, during the course of hearing, the learned Government Pleader appearing for the respondents 1 to 5 informed the Court that after completion of the investigation, a final report was filed on 30.03.2015 referring the case as a false one.

7. Taking the above said fact into consideration, this Court is of the opinion that no further cause would survive in the writ petition since a final report is already filed.

8. Accordingly, the Writ Petition is dismissed. No order as to costs. Miscellaneous Applications, if any pending, shall stand closed.

P.KESHAHA RAO, J

August 30, 2019.
KTL