

THE HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.31592 of 2014

ORDER:

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

2. 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 declaring the action of the respondents No.1 to 5 in not registering the case against the 6th and 7th respondents herein as illegal, arbitrary, and against the principles of natural justice basing on the petitioner complaint dt.15.08.2014, 09.10.2014 Panchayat Secretary complaint dt.15.08.2014 and DPO, Warangal, official letter dt.03.09.2014 and consequently to direct the respondents authorities to register the case against the 6th and 7th respondents basing petitioner's complaint dt.15.08.2014 and 09.10.2014 and 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 record the written instructions issued by the Sub-Inspector of Police, Thorur Police Station, Warangal District.

4. From a perusal of the said written instructions, it is revealed that the Circle Inspector of Police, Thorur, received the petitioner's complaint from the office of the Sub-Divisional Police Officer, Mahabubabad, vide C.No.166/PE.SDM/2014, against the respondents 6 and 7, to take necessary action. The sum and substance of the said complaint is that the petitioner herein is the Sarpanch of major Gram Panchayat, Thorur Village, and on 15.08.2014 when he was trying to hoist the flag beside the Gandhi statue, near the Gram Panchayat, Thorur, the respondents 6 and 7 abused the petitioner in his caste name and took the flag from the hands of the petitioner. On the request of the

Secretary of the Gram Panchayat, the Station House Officer, Thorrur, provided police bandobusth by deputing HC 1942 in hoisting the flag at the said site. Basing on the endorsement, the 4th respondent enquired the matter in detail with the members of the Gram Panchayat and others. After enquiry, it was revealed that the respondents 6 and 7 have not abused the petitioner in his caste name and have not taken the flag from the hands of the petitioner and Upa Sarpanch of the said Gram Panchayath i.e., 7th respondent herein, hoisted the flag. The petitioner did not object in hoisting the flag by the 7th respondent. The petitioner also participated in the National Anthem. No instance took place as alleged by the petitioner. On further enquiry, it was revealed that there was a political rivalry between the petitioner and the respondents 6 and 7. The respondent police also provided bandobusth at the time of hoisting the flag. As such, the petitioner lodged a false complaint before the Sub-Divisional Police Officer, Mahabubabad. It is further mentioned in the written instructions that the allegation of the petitioner that he approached Thorrur Police Station and requested to take action against the respondents 6 and 7 is incorrect and baseless.

5. In view of the specific written instructions submitted by the 5th respondent, this Court is of the opinion that there are no merits in the writ petition and the same is liable to be dismissed.

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

Miscellaneous petitions pending, if any, shall stand dismissed.

P. KESHA VA RAO, J

20th December 2019

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