

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.4922 of 2014

ORDER:

There is no representation on behalf of the petitioner.

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

“.....to issue an order, direction or a writ one in the nature of MANDAMUS declaring the in-action of the 3rd respondent in not investigating the case in the FIR No.244 of 2012 on the file of Chief Metropolitan Magistrate at Nampally, Hyderabad and in not arresting the accused No.1 to 8 in the said crime is illegal, arbitrary and violation of principles of natural justice and consequently direct the 3rd respondent to see that the said accused persons not to create any nuisance by sitting in the premises of the petitioner and to pass such other order or orders as this Hon’ble Court may deems fit just and proper in the circumstances of the case.”

3. Respondent No.3 filed counter-affidavit denying the averments made in the affidavit filed in support of the writ petition and contended *inter alia* that the petitioner herein originally filed a private complaint under Section 200 Cr.P.C. on the file of the Chief Metropolitan Magistrate at Nampally, Hyderabad, against one K. Mahesh and seven others. The said complaint was referred to the respondent police under Section 156(3) Cr.P.C. Upon which, a case in Crime No.244 of 2012 was registered on the file of the Bahadurapur Police Station, Hyderabad, on 12.10.2012. After investigation, a final report was filed on 07.03.2014 after serving notice on the petitioner on 05.03.2014.

4. In that view of the matter, this Court is of the opinion that no further cause would survive in the writ petition, since the final report is already filed before the concerned Court. Therefore, there are no merits in the writ petition and the same is liable to be dismissed.

5. Accordingly, the writ petition is dismissed. However, it is open to the petitioner to raise objections before the concerned Court on the said final report.

Miscellaneous petitions pending, if any, shall stand dismissed.

No costs.

29th October 2019

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P. KESHAVA RAO, J

