

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

**FRIDAY, THE SEVENTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY**

PRESENT

THE HON'BLE SRI JUSTICE T. VINOD KUMAR

WRIT PETITION NO: 10312 OF 2020

Between:

Mushnam Dasarath Goud, S/o. Yella Goud, aged about 56 years, Occ: Agriculture,
R/o H.No. 11-1-151, Bharath Nagar, Siddipet Town, Siddipet District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat, Hyderabad.
2. The Commissioner of Police, Siddipet Commissionerate, Siddipet District.
3. The Assistant Commissioner of Police, Siddipet Commissionerate, Siddipet District.
4. The Station House Officer, Siddipet Town, Siddipet District.
5. Nimma Srinivasa Reddy, S/O. Madhava Reddy, Aged about 52 years, Occ. Agriculture, R/o H.No. 11-1-78/B/2, Bharat Nagar, Siddipet Town, Siddipet District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue any writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondents particularly 4th respondent, in not investigating basing on the complaint dated 16-03-2020, and not registering the crime and investigation against the 5th respondent, as illegal, arbitrary, unjustified, contrary to law and consequently to direct the respondents, particularly, the 4th respondent herein, to register the crime and to investigate against the 5th respondent in accordance with law as per the guidelines issued in Lalitha Kumar vs State of Uttar Pradesh,

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents particularly 4th respondent herein to register the Crime and to investigate and to take action against 5th respondent on the complaint dated 16-03-2020, pending disposal of the main writ petition.

Counsel for the Petitioner: SRI. METTU SHANKAR

Counsel for the Respondent Nos.1 to 4: AGP FOR HOME

Counsel for the Respondent No.5: NONE APPEARED

The Court made the following: ORDER

HON'BLE SRI JUSTICE T. VINOD KUMAR

WRIT PETITION NO.10312 OF 2020

ORDER:

The present writ petition is filed under Article 226 of the Constitution of India for issue of a writ of mandamus declaring the inaction of the respondents, particularly the 4th respondent, in investigating the case basing on the complaint dated 16.03.2020 in registering the crime and to investigate the same against the 5th respondent as illegal, arbitrary, unjustified contrary to law and the guidelines issued by the Hon'ble Supreme Court in *Lalitha Kumari v. Government of U.P.*¹

2. The present writ petition is taken up for hearing today, i.e. 17.07.2020, through Video Conferencing.

3. Heard learned counsel for the petitioner and learned Assistant Government Pleader for Home.

4. Learned Assistant Government Pleader for Home, on instructions, submits that the grievance of the petitioner in the present Writ Petition stands redressed as the 4th respondent authority has registered a case against the 5th respondent, based on the representation vide Crime No.289 of 2020 on 14.07.2020, on the file of Siddipet Town police station, Siddipet District, under Sections 420 and 506 IPC and took up investigation in the matter and is pending for collection of evidence. By the said written instructions, it is also stated that the respondent authority upon collection of evidence would proceed with the investigation into the matter as per law.

¹ (2014) 2 SCC 1

5. Having regard to the submissions made as above and considering the fact that the grievance of the petitioner in the present Writ Petition with regard to non-registration of a crime based on his representation dated 16.03.2020 stands redressed on account of a crime being registered, it is needless to mention that the respondent authority having registered a crime shall also conduct investigation into the matter and to take necessary action thereon, if the contents of the complaint made on the basis of which the crime is registered stands established.

6. Subject to the above observation, the writ petition is disposed of. No order as to costs. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order.

//TRUE COPY//

Sd/-SD/-K.AMMAJI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Station House Officer, Siddipet Town, Siddipet District.
2. One CC to Sri Mettu Shankar Advocate [OPUC]
3. Two CCs to the GP for Home, High Court for the State of Telangana at Hyderabad. (OUT)
4. Two CD Copies

CHR



HIGH COURT

DATED:17/07/2020

ORDER

W.P.No.10312 of 2020



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

6^{ssv} copies
Dt 28/7/2020