

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.33346 of 2014

ORDER:

Heard learned counsel for the petitioner as well as learned Government Pleader appearing for the respondents 1 to 4.

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

“...to issue writ or direction preferably Writ of Mandamus declaring the action of the respondent nos.2 and 3 police in frequently calling the petitioner to the police station Hasanparthy P.S. of Warangal District, without following due procedure as per law, despite submission of explanation dated 08.10.2014 as illegal, arbitrary, and violative of principles of natural justice and consequently direct the respondent nos.3 and 4 not to call the petitioner to the police station and not to insist to settle the issues with 3rd parties and pass such other or further orders as this Hon’ble Court deems fit and proper in the circumstances of the case.”

3. Learned Government Pleader placed on record the written instructions issued by the Inspector of Police and Station House Officer, Hasanparthy Police Station, Warangal (Urban) District.

4. From a perusal of the said written instructions, it is revealed that the respondents 3 and 4 have no knowledge about the incident dated 20.09.2014, said to have been taken place in the area of jurisdiction of Madikonda Police Station or the report in that regard said to have been lodged by the petitioner in the said Police Station. It is also further mentioned in the written instructions that the petitioner sent a representation, dated 08.10.2014, addressed to the 4th respondent through registered post stating that he had collected some amounts from one Bogi Pochaiah, Adepu Mallaiah and ten others to facilitate processing the freedom fighter pension and subsequent to failure of such processing, he returned the due and balance amounts to them. However, at the instance of said persons, one M.Venkat Reddy

and two others attacked him and forcibly got executed a document, in respect of which, he made a complaint on 20.09.2014 before the Station House Officer, Madikonda Police Station. It is further stated in the written instructions that as on the date of issuance of the written instructions, no one approached the 4th respondent with any complaint against the petitioner. Therefore, the question of calling the petitioner to the Police Station does not arise. It is also further mentioned that as per the contents of representation, dated 08.10.2014, the petitioner is apprehending that any one of the persons stated above may approach the respondent police against the petitioner. Therefore, the present writ petition is filed with false and baseless allegations against the respondent police not to take any action against him.

5. From the said written instructions, it is evident that no crime has been registered, much less against the petitioner. Therefore, summoning the petitioner to the Police Station also may not arise. From the contents of the written instructions, it can also be inferred that apprehending arrest in the event of lodging complaint by any one of the persons mentioned above, the present writ petition is filed.

6. In that view of the matter, this Court is of the opinion that there are no merits in the writ petition and the same is liable to be dismissed.

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

Miscellaneous petitions pending, if any, shall stand dismissed.

P. KESHA VA RAO, J