

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

TUESDAY, THE THIRTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION NO: 7093 OF 2021

Between:

Bodikela Sammaiah, S/o Narsaiah, age: 50 years, Employee in L.I.C.,
R/o Kothapalli, Jammikunta Mandal, Karimnagar District.

...PETITIONER

AND

1. The State of Telangana, rep. by the Principal Secretary, Home Department Secretariat, Hyderabad.
2. The Commissioner of Police, Karimnagar, Karimnagar District.
3. The Station House Officer, Jammikunta Police Station Karimnagar 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 a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 2 and 3 in not taking action and not registering the case against the accused basing on the complaint submitted by the petitioner dated 30/12/2020 submitted to the 2nd respondent as illegal, arbitrary, violative of principles of natural justice and also violative of Articles 14 and 21 of the Constitution of India.

IA NO: 1 OF 2021

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 2 and 3 to forthwith register a criminal case against the culprits pursuant to the complaint submitted by the petitioner dated 30/12/2020, pending disposal of the writ petition.

Counsel for the Petitioner: SRI. P. SAJAN KUMAR

Counsel for the Respondents: SRI S. RAM MOHAN, AGP FOR HOME

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.7093 of 2021

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of respondent Nos.2 and 3 in not taking any action and not registering the case against the accused, basing on the complaint, dated 30.12.2020, submitted by the petitioner to the 2nd respondent, as arbitrary and illegal.

2 Heard Sri Sajan Kumar, learned counsel for the petitioner and Sri S.Ram Mohan, learned Assistant Government Pleader for Home, appearing for the respondents.

3. When the matter is taken up for hearing, Sri S.Ram Mohan, learned Assistant Government Pleader for Home, on written instructions, would submit that the police on receipt of complaint, dated 30.12.2020, made an entry in the General Diary and the matter was taken up for enquiry. The enquiry revealed that subject matter is purely 'civil in nature', and accordingly closed the said complaint. According to the learned Assistant Government Pleader for Home, a copy of said report, dated 25.03.2021, was already served on the petitioner through 'Registered Post with Acknowledgment Due'.

4. Recording the said submission, this Writ Petition is closed since the grievance of the petitioner is redressed. However liberty is granted to the petitioner to take appropriate steps in accordance with law.

Miscellaneous petitions, if any, pending shall stand closed.

No costs.

//TRUE COPY//

**SD/- K.SAILESHI
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. One CC to Sri P. Sajan Kumar, Advocate [OPUC]
2. Two CCs to GP for Home, High Court for the State of Telangana at Hyderabad.
[OUT]
3. Two CD Copies

CHR



HIGH COURT

DATED:30/03/2021



ORDER

W.P.No.7093 of 2021

CLOSING THE WRIT PETITION
WITHOUT COSTS

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RMA
09/04/2021