

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

FRIDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 33936 OF 2023

Between:

Gode Kasi Annapurna, W/o. Satyanarayana, aged 67 years, R/o. Flat No.5, Plot No.31/34, Gokul Plots, Sri Venkata Ramana Colony, Hafeezpet Mandal, Kukatpally, Hyderabad-500085, Telangana State,

...PETITIONER

AND

1. The State of Telangana, Department of Home, Rep. by its Principal Secretary, Secretariat, Hyderabad.
2. The Station House Officer, PS Kukatpally, Kukatpally, Medchal Malkajgiri district, Telangana State.
3. The Commissioner of Police, Gachibowli, Cyberabad.
4. Sri Vagicherla Janardhan rao, S/o. V. Subba Rao, Aged about. Major, Occ. Business, R/o. Flat No.302, Plot No.287, Sriven Towers, Bandari Layout, Backside Hanuman Temple, Nizampet, Medchal Malkajgiri District-500 090 T.S.
5. Sri Vagicherla Srinivasulu, S/o. V. Subba Rao, Aged about . Major, Occ. Business, Both R/o. Flat No.302, Plot No.287, Sriven Towers, Bandari Layout, Backside Hanuman Temple, Nizampet, Medchal Malkajgiri District-500 090 T.S.
6. Sri Mallikarjuna, S/o. Ramaswamy, Aged about . 48 years, Occ.Builder. R/o.H.No.3-63/1C, Nizampet (Po), Qutubullapur, Medchal Malakajgiri District-500 009.T.S.

...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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the high handed action of Respondent Nos.2 in not discharging the statutory function obligated under Sec.154, 156 of Cr.P.C., as illegal, arbitrary, unjust and contrary to provisions of Section 154 and 156 Cr.P.O and also contrary to the judgment rendered in Lalitha Kumari Vs. State of UP and consequently direct the Respondent No.3 to take appropriate action under Section 154 and 156 of Cr.P.C on the Complaint dated 06.11.2023 submitted by the Petitioner in the interest of Justice.

IA NO: 1 OF 2023

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 Respondent No.2 to take appropriate action in compliance of Section 154 and 156 of Cr.P.C on the Complaint dated 06.11.2023 submitted by the Petitioner forthwith pending disposal of the main Writ Petition in the interest of Justice.

Counsel for the Petitioner: M/s. G.MALATHI

Counsel for the Respondent Nos.1 TO 3: AGP FOR HOME

Counsel for the Respondent Nos.4 TO 6: --

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION No.33936 OF 2023

ORDER:

This writ petition is filed seeking following relief:

"....to issue an appropriate Writ Order or Direction more particularly one in the nature of Writ of Mandamus declaring the high handed action of Respondent Nos.2 in not discharging the statutory function obligated under Sections 154, 156 of Cr P C as illegal arbitrary unjust and contrary to provisions of Section 154 and 156 Cr P O and also contrary to the judgement rendered in Lalitha Kumari Vs State of UP and consequently direct the Respondent No 3 to take appropriate action under Section 154 and 156 of Cr P C on the Complaint dated 06 11 2023 submitted by the Petitioner in the interest of Justice ..."

2. The case of the petitioner is that she lodged a complaint, dated 06.11.2023 before respondent No.2 and even though the said complaint reveals cognizable offences, the respondents-police have failed to act upon the said complaint in accordance with Section 154 (3) of Cr.P.C and also the guidelines issued by the Hon'ble Supreme Court in ***Lalita Kumari v. State of Uttar Pradesh***¹.

3. Learned Assistant Government Pleader for Home submits that acting on the complaint submitted by the petitioner, the respondents-Police have made G.D. entry and conducted

¹ (2014) 2 SCC 1

investigation and as the said investigation revealed that there are serious civil disputes between the petitioner and respondent Nos.4 to 6, the said complaint was closed as "civil in nature".

4. Learned counsel appearing for the petitioner submits that the petitioner has not received any intimation regarding the said closure report.

5. In view of the said submission, this Court deems it appropriate to dispose of the writ petition directing the respondents-police to furnish a copy of the closure report to the petitioner to enable her to take appropriate steps in accordance with law.

6. Accordingly, this writ petition is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

//TRUE COPY//

SD/-B. SARASWATHI
ASSISTANT REGISTRAR
SECTION OFFICER

To

1. The Principal Secretary, Secretariat, Hyderabad, State of Telangana, Department of Home.
2. The Station House Officer, PS Kukatpally, Kukatpally, Medchal Malkajgiri district, Telangana State.
3. The Commissioner of Police, Gachibowli, Cyberabad.
4. One CC to M/s G.MALATHI, Advocate [OPUC]
5. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad. [OUT]
6. Two CD Copies

PSK.
SB

HIGH COURT

DATED:29/12/2023

ORDER

WP.No.33936 of 2023



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.

9 Copies
Gee-

MBC
29/01