IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD (Special Original Jurisdiction)

FRIDAY, THE TWENTY NINETH DAY OF AUGUST TWO THOUSAND AND EIGHT

PRESENT THE HON'BLE MR JUSTICE GODA RAGHURAM WRIT PETITION NO: 16542 of 2006

Between:

Vangaveeti China Bhadraiah S/o.Mangaiah Kodad Mandal, Nalgonda District.

.... PETITIONER

AND

- 1 The Superintendent of Police, Nalgonda, Nalgonda District.
- 2 The Circle Inspector of Police, Kodad, Nalgonda District.
- 3 The Sub-Inspector of Police, Rural Police Station, Kodad, Nalgonda District.

....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ, order or direction more particularly one in the nature of writ of mandamus directing the respondents herein to take appropriate action against the offenders in Crime No.149/2005 and Crime No.36/2006 of Kodad Rural Police Station, Kodad in pursuance of theft committed in petitioner's firm M/s.Sree Rama Boiled Rice Mill at Dorkunta, Kodad Mandal, Nalgonda District as per the complaints lodged by the petitioner after declaring the inaction of the respondents in not taking any action against the offenders is illegal, void and without jurisdiction, and pass.

Counsel for the Petitioner: MR.G. DHARMA RAO

Counsel for the Respondent No.: GP FOR HOME

The Court made the following:

ORAL ORDER:

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The Writ Petition is filed alleging that the respondents have not expeditiously investigated Crime Nos. 149/2005 and 36 of 2006 on the file of the Rural Police Station, Kodad, Nalgonda District.

1st respondent-the Superintendent of Police, Nalgonda District filed a counter affidavit, stating that he has called for the records relating to the investigation into Cr.Nos. 149 of 2005 and 36 of 2006 and has carefully studied the record of investigation. In paragraphs 3 to 8 of this counter, the 1 st respondent states that the records revealed that strenuous investigation was pursued in the two crimes but no clues were forthcoming. Hence, in respect of the first case i.e., Cr.No.149 of 2005, the investigation officer filed a final report before the court of the Judicial Magistrate of I Class, Kodad on 7.4.2007, recording the crime 'undetected' for the time being and in respect of the second case i.e., Cr.No.36 of 2006 also, a final report has been filed on 7.4.2007 before the court of the Judicial Magistrate of I Class, Kodad, recording the crime as 'undetected'. The allegation of the petitioner that no investigation at all was pursued has been specifically denied by the 1st respondentthe Superintendent of Police who filed the counter affidavit, after perusing the record of investigation in the two crimes.

In the circumstances, the grievance of the petitioner has

no basis. The Writ Petition is accordingly dismissed. There shall be no order as to costs.

GODA RAGHURAM, J

DATE: 29.08.2008

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