

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

WEDNESDAY, THE TWENTY EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HON'BLE SMT JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO: 37647 OF 2022

Between:

1. Dorashetty Sathyamurthy, S/o. Chandrashekar, Aged about 40 years, Occ Business, R/o. H.No.4-3-25/2, Valmiki Nagar, Tandur Village and Mandal, Vikarabad District.
2. Bestha Yadamma, W/o. Late Bestha Krishnaiah, Aged about 55 years, Occ Housewife, R/o. H.No.8-34/204, Maytri Nagar, Near Church, Goutham Nagar, Pand T Colony, Saroomagar, Ranga Reddy District- 500 060.

...PETITIONERS

AND

1. The State of Telangana, Rep.by its Principal Secretary, (Home Department), Secretariat, Hyderabad.
2. The Director General of Police, Telangana State at Lakdikapool, Hyderabad.
3. The Superintendent of Police, Vikarabad District at Vikarabad District.
4. The Station House Officer, P.S. Tandur, Vikarabad

...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 particularly one in the nature of Writ of Mandamus declaring the inaction of the respondent No. 3 in taking steps to transfer the investigation of the Crime in FIR No.53/2022 from the respondent No.4 to any other agency as arbitrary, illegal and violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondent No. 3 to transfer the investigation of the crime in FIR No. 53 of 2022 from the respondent No.4 to any other agency.

IA NO: 1 OF 2022

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.3 to transfer the investigation of the Crime No. 53 of 2022 from the Respondent No.4 to any other agency, pending disposal of the writ petition, and pass such other orders as this Hon'ble Court deems fit and proper in the circumstances of the case and pass

Counsel for the Petitioners: SRI B. BAL REDDY

Counsel for the Respondents: SRI A. MANOJ KUMAR, AGP FOR HOME

The Court made the following: ORDER

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION No.37647 of 2022

ORDER:

This writ petition is filed seeking the following relief:

“...to issue a Writ, Order or Direction particularly one in the nature of Writ of Mandamus declaring the inaction of the respondent No.3 in taking steps to transfer the investigation of the Crime in FIR No.53/2022 from the respondent No.4 to any other agency as arbitrary, illegal and violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondent No.3 to transfer the investigation of the crime in FIR No.53 of 2022 from the respondent No.4 to any other agency...”

2. Sri B.Bal Reddy, learned counsel for the petitioners, submits that the 1st petitioner has given a complaint to the police as his wife is missing and the same is registered as Crime No.53 of 2022 on 07.03.2022. Thereafter, the respondent police failed to conduct investigation and whereabouts of his wife are not known. Then, the 1st petitioner has given a complaint to the Superintendent of Police to transfer the case to CBI or CBCID Departments for further investigation.

3. Sri A.Manoj Kumar, learned Assistant Government Pleader for Home, on written instructions, submits that after receiving the complaint, the respondent police issued look-out notices to all the District Police Stations including the States of Maharashtra,

Karnataka and Andhra Pradesh about the missing woman. As part of investigation, CCTV footages were also collected and thoroughly verified and also called Call Details Report and Tower Dump Tata, but no clues are forthcoming about the missing woman. Further, as part of investigation, the respondent police enquired in all the Orphanages in Hyderabad limits, but no information was obtained and also searched the unknown female dead bodies list including the States of Maharashtra, Karnataka and Andhra Pradesh. He further submits that the investigation is underway and the respondent police are making hectic efforts to know about the said missing woman. He submits that it cannot be said that the respondent police are not taking interest or there is no proper investigation. The respondent police are conducting impartial investigation to trace out the missing woman.

4. Taking into consideration the submission made by the learned Assistant Government Pleader for Home, this Court finds no reason to direct the police to transfer the case from local police station to CBI or C3CID.

6. Accordingly, the Writ Petition is dismissed. No order as to costs.

Miscellaneous applications, pending if any, shall stand closed.

SD/- K. VENKAIAH
ASSISTANT REGISTRAR
GP
SECTION OFFICER

//TRUE COPY//

To,

1. One CC to Sri B. Bal Reddy, Advocate [OPUC]
2. Two CCs to GP for Home, High Court for the State of Telangana at Hyderabad. [OUT]
3. Two CD Copies
4. One Spare Copy

Sm
GJP

Atul

HIGH COURT

DATED: 28/09/2022

ORDER

WP.No.37647 of 2022



DISMISSING THE W.P.
WITHOUT COSTS

⑥
19/11/22
HVT