



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3521]

**TUESDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

WRIT PETITION NO: 10466/2026

Between:

1. GOPI ARJUNA RAO,, S/O. LATE SRI RAMA CHANDRA MURTHY,
AGED ABOUT 62 YEARS , R/O. D. NO. 59-3-5, NALLAMATI STREET,
JAGANATHAPURAM, KAKINADA CITY, KAKINADA URBAN MADAL,
KAKINADA DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, , REP. BY ITS PRINCIPAL
SECRETARY, HOME DEPARTMENT, VELAGAPUDI AT
AMARAVATHI-522238

2. THE SUPERINTENDENT OF POLICE, KAKINADA, KAKINADA
DISTRICT-533001

3. THE SUB DIVISIONAL POLICE OFFICER, KAKINADA, KAKINADA
DISTRICT-533001

4. THE SHO CUM CIRCLE INSPECTOR OF POLICE, II TOWN POLICE
STATION, KAKINADA, KAKINADA DISTRICT-533001

5. THE SUB INSPECTOR OF POLICE, II TOWN POLICE STATION,
KAKINADA, KAKINADA DISTRICT-533001

...RESPONDENT(S):

Counsel for the Petitioner:

1. CHAKANA NEERAJ MURTHY

Counsel for the Respondent(S):

1.GP FOR HOME

The Court made the following:

ORDER:

The Writ Petition has been filed under Article 226 of the Constitution of India seeking the following relief:-

“...to issue an appropriate order, writ or direction, more particularly one in the nature of Mandamus, declaring the action of the respondents in not registering the report submitted by the petitioner dated 10.02.2025 and 19.02.2025 to 3rd and 4th respondents as arbitrary, illegal, unconstitutional, and abuse of power and consequently direct the 3rd and 4th respondent to register the report given by the petitioner dated 10.02.2025 and 19.02.2025, and investigate into the matter forthwith and pass such order(s).”

2. Heard the learned Counsel for the Petitioner and the learned Assistant Government Pleader for Home.

3 Sri Chakana Neeraj Murthy, learned counsel for the Petitioner, submits that the Petitioner has submitted two complaints on 10.02.2026 and 19.02.2026 to Respondent Nos.3 and 4, but they were not registered as FIRs and investigation was not conducted.

4. Sri P. Ajay Babu, learned Assistant Government Pleader for Home, on written instructions, submits that the Respondent Police have conducted a preliminary inquiry based on the complaints submitted by the Petitioner and came to know that the cause of action civil in nature. Therefore, they could not proceed further in the matter.

5. The learned Counsel for the Petitioner submits that the complaints of the Petitioner are disclose commission of the cognizance offences and also

there is CCTV footage. On bare perusal of the two complaints allegedly lodged by the Petitioner with the police the Petitioner himself revealed that there is a civil suit initiated by him and the same is pending.

6. Be that as it may, the Petitioner has got an alternative efficacious remedy of filing a private complaint before the learned jurisdictional Magistrate under Section 190 read with 200 of the Code Criminal Procedure Code, 1973 (for brevity 'the Cr.P.C')/Section 210 read with 223 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS') when the complaint is not considered by the Respondent Police.

7. Considering the facts and circumstances of the case and recording the submissions of the learned Assistant Government Pleader, the Writ Petition is disposed of, requiring the Petitioner to file appropriate complaint before the learned jurisdictional Magistrate under Section 190 read with 200 of 'the Cr.P.,'/Section 210 read with 223 of 'the BNSS'. On filing of such complaint, the learned jurisdictional Magistrate is directed to dispose of the complaint in accordance with law. The Petitioner has got liberty to file *ex-parte* mandatory injunction if the Petitioner was highhandedly evicted from the premises. There shall be no order as to costs.

As a sequel, miscellaneous petitions, if any pending shall stand closed.

DR. Y. LAKSHMANA RAO, J

Date: 21.04.2026
KMS

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

Writ PETITION No.10466 of 2026

Date: 21.04.2026

KMS