

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATI
(Special Original Jurisdiction)
TUESDAY, THE TWENTY SIXTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY
WRIT PETITION NO: 24354 OF 2021

Between:

1. Shaik Khadar Basha alias Bujji, S/o. Shaik Taj, aged 34 years, Occ Private employee, R/o. Door NO.22-1-15, Adjacent to Sobha Hotel, Ponnur Town, Guntur District.
2. Jammula Lakshmi Prasad, S/o. Ramanjaneyulu, aged 45 years, Occ Business R/o.Door No. 6-109, Munipalle Village, Ponnur Rural Mandal, Guntur District.

Petitioners

AND

1. The State of Andhra Pradesh, rep.by its Principal Secretary, Home Department, Secretariat Buildings, Velagapudi, Guntur District.
2. The Station House Officer, Pedakakani Police Station, rep.by its Public Prosecutor, High Court of A.P at Amaravathi.
3. Sri Kilari Venkata Rosaiah, S/o. late Kilari Koteswara Rao, Aged about 55 years, Occ Business, R/o. Krishna Nagar, Guntur, Guntur District.
4. Bandari Suresh Babu, S/o. not known to the petitioners, aged about 50 years, Occ Inspector of Police, R./o. not known, Pedakakani Police Station, Pedakakani, Guntur District.
5. Sivabattuni Dayanand Babu, S/o. Sundara Rao, Aged 55 years, Occ Agrivulture, Uppalapadu Village, Pedakakani Mandal, Guntur District

Respondents

WHEREAS the Petitioners above named through their Advocate SRI.PRABHU NATH VASIREDDY presented this 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 respondent No.2 in registering the Criminal Case vide F.I.R. No. 607/2021, dated 06-09-2021 of Pedakakani Police Station based on the complaint made by the respondent No.5 at the instance of the respondent No.3 for the offences under Sections 504, 505(2), 153 A of I.P.C by abusing the process of law and misusing his powers for extraneous considerations, with a view to prevent the petitioners in exercising their right to express their convictions and opinions freely by way of sending messages and sharing the postings available in the Internet to the members of their whatsapp group namely YCP Ponnuru Niyajakavargam is arbitrary, illegal, and in violation of Articles 14 and 19 (1) (a) of the constitution of India and consequently quash the proceedings in F.I.R.No.607 of 2021, dated 06-09-2021 of Peddakakani Police Station, Guntur District;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri.Prabhu Nath Vasireddy Advocate for the Petitioners and of Learned Assistant Government Pleader for Home, for respondents 1 & 2, directed issue of notice to the Respondent Nos.3 to 5 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. Sri Kilari Venkata Rosaiah, S/o. late Kilari Koteswara Rao, R/o. Krishna Nagar, Guntur, Guntur District.
2. Bandari Suresh Babu, S/o. not known to the petitioners, Occ Inspector of Police, R/o. Vedakakani Police Station, Pedakakani, Guntur District.
3. Sivabattuni Dayanand Babu, S/o. Sundara Rao, Uppalapadu Village, Pedakakani Mandal, Guntur District

are directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted before 25.11.2021, on which date the case stands posted for hearing..

THE COURT MADE THE FOLLOWING ORDER:

Learned Assistant Government Pleader for Home takes notice for respondents 1 and 2 and requests time to obtain instructions.

Issue notice to respondent Nos.3 to 5.

Post the matter after four weeks.

**SD/-B.NARSING RAO
ASSISTANT REGISTRAR**

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. Sri Kilari Venkata Rosaiah, S/o. late Kilari Koteswara Rao, R/o. Krishna Nagar, Guntur, Guntur District.
2. Bandari Suresh Babu, S/o. not known to the petitioners, Occ Inspector of Police, R/o. Pedakakani Police Station, Pedakakani, Guntur District.
3. Sivabattuni Dayanand Babu, S/o. Sundara Rao, Uppalapadu Village, Pedakakani Mandal, Guntur District (1 TO 3 by RPAD- along with a copy of petition and affidavit)
4. One CC to SRI.PRABHU NATH VASIREDDY Advocate [OPUC]
5. Two CCs to GP for Home, High Court Of Andhra Pradesh. [OUT]
6. One spare copy

SRL

HIGH COURT

CMRJ

DATED:26/10/2021

NOTE: POST THE MATTER AFTER FOUR WEEKS

NOTICE BEFORE ADMISSION

WP.No.24354 of 2021

