

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**
[2583]
(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF AUGUST
TWO THOUSAND AND EIGHTEEN

:PRESENT:

THE HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WP .NO:25947 of 2018 -

Between:

1. P.Lavanya, W/o. P.Dinesh Rao Aged 36 Years, Occ. House Hold, C/o. M.Krishna Upadya, Jekinkatti Building, H.No.1290/4, Near Shoba Nursing Home, K.E.B. Office, Tabib Land, Hubballi District. Dharwad, Karnataka State.
2. P.Sudhiksha, D/o. P.Dinesh Rao, Aged 12 Years, Occ. Student, Being minor under the guardianship of her natural mother and natural guardian P. Lavanya W/o. P.Dinesh Rao, C/o. M.Krishna Upadya, Jekinkatti Building, H.No.1290/4, Near Shoba Nursing Home, K.E.B. Office, Tabib Land, Hubballi District. Dharwad, Karnataka State.

.....Petitioners

AND

1. State of Telangana, Rep.by its Prl.Secretary (Home), Secretariat Buildings, Hyderabad - 500022
2. The Commissioner of Police, Cyberabad Police Commissionerate Beside BJP Office, Kukatpally, Hyderabad-500072
3. The Station House Officer, Police Station Alwal, Near Municipal Office, Secunderabad - 500010
4. P.Dinesh Rao, S/o P.Sripathi Rao, Aged 43 years, Occ. Private employee, R/o Flat No.105, A.R. Enclave, Loyola College Road, Father Balaiah Nagar, Old Alwal, Secunderabad -500 010.
5. Smt.P.Lakshmi Rao, W/o P.Sripathi Rao, Aged 65 years, Occ. Household, R/o Flat No.105, A.R. Enclave, Loyola College Road, Father Balaiah Nagar, Old Alwal, Secunderabad -500010
6. Dr.Satish Rao, S/o P.Sripathi Rao, Aged 41 years, Occ. Medical Practitioner, R/o Flat No.105, A.R. Enclave, Loyola College Road, Father Balaiah Nagar, Old Alwal, Secunderabad -500010
7. Sri Ganesh Rao, S/o P.Sripathi Rao, Aged 42 years, R/o Flat No.105, A.R. Enclave, Loyola College Road, Father Balaiah Nagar, Old Alwal, Secunderabad -500010.

....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, direction or order, more particularly, in the nature of writ of mandamus declaring the inaction on the part of the respondents 1 to 3 in the matter of registering and carrying out investigation in respect of FIR No.389 of 2017 as also the non-execution of warrant of arrest issued by the competent court as against Sri.P.Dinesh Rao as illegal, arbitrary, malafide, irregular, irrational and violative of Article 14 of Constitution of India and also the provisions of Code of Criminal Procedure, 1973 and consequently direct the respondent Nos.2 and 3 to cause detailed enquiry and take immediate action as per law besides appropriate action against the erring officers of Respondents 2 and 3;

IA NO: 1 OF 2018

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 Nos.2 and 3 to cause enquiry in crime No.389/2017 on the file of

3rd respondent Police Station and take immediate action as per law, pending disposal of WP.No.25947 of 2018, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI.J.PRABHAKAR, Advocate for the Petitioner and of learned Government Pleader for Home (T.G.) for Respondent Nos.1 to 3, Court made the following:

ORDER:

Learned Assistant Government Pleader for Home produced written instructions stating that a special team headed by Assistant Sub-Inspector of Police and Head Constable was constituted for tracing the 4th respondent, but they are unable to trace him out.

Learned counsel for the petitioner says that the petitioner has given all the details about the 4th respondent regarding his account number, PAN number and the 4th respondent is regularly operating the said accounts. In spite of the same, the respondent-police are not securing the presence of the 4th respondent.

In view of the same, the concerned Deputy Commissioner of Police to take action in the matter for securing the presence of the 4th respondent and report to this Court by the next date of hearing.

Post after three (03) weeks in Motion List.

Communicate a copy of this docket order to the Deputy Commissioner of Police, Alwal.

SD/- I. NAGA LAKSHMI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Principal Secretary (Home), State of Telangana, Secretariat Buildings, Hyderabad - 500022
2. The Commissioner of Police, Cyberabad Police Commissionerate, Beside BJP Office, Kukatpally, Hyderabad-500072
3. The Station House Officer, Police Station Alwal, Near Municipal Office, Secunderabad - 500010
4. P.Dinesh Rao, S/o P.Sripathi Rao, R/o Flat No.105, A.R. Enclave, Loyola College Road, Father Balaiah Nagar, Old Alwal, Secunderabad -500 010.
5. Smt.P.Lakshmi Rao, W/o P.Sripathi Rao, R/o Flat No.105, A.R. Enclave, Loyola College Road, Father Balaiah Nagar, Old Alwal, Secunderabad -500010
6. Dr.Satish Rao, S/o P.Sripathi Rao, R/o Flat No.105, A.R. Enclave, Loyola College Road, Father Balaiah Nagar, Old Alwal, Secunderabad -500010
7. Sri Ganesh Rao, S/o P.Sripathi Rao, R/o Flat No.105, A.R. Enclave, Loyola College Road, Father Balaiah Nagar, Old Alwal, Secunderabad -500010 (1 to 7 by RPAD)
8. **The Deputy Commissioner of Police, Alwal, Hyderabad.(BY SPEED POST)**
9. One CC to SRI.J.PRABHAKAR, Advocate [OPUC]
10. Two CCs to GP for Home (T.G) ,High Court Of Judicature at Hyderabad. [OUT]
11. One Spare Copy

SRL

HIGH COURT

ARRJ

DATED; 02.08.2018

NOTE: POST AFTER THREE (03) WEEKS IN MOTION LIST

ORDER

WP.NO.25947 OF 2018

DIRECTION

