

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

THURSDAY, THE SEVENTEENTH DAY OF OCTOBER  
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HON'BLE SRI JUSTICE B. V. L. N. CHAKRAVARTHI



WRIT PETITION NO: 4135 OF 2019

**Between:**

V. Nageswara Rao, S/o. V. Venkata Ramana Murthy, aged about 39 years,  
R/o. 37-11-31/A, P.R.R. Gardens, Industrial Estate, Visakhapatnam (Urban),  
Visakhapatnam District.

...PETITIONER

**AND**

1. The State of AP, rep.by its Principal Secretary, Home Department,  
Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Commissioner of Police, Visakhapatnam City, Visakhapatnam.
3. The Station House Officer, Dwarakanagar Police Station,  
Visakhapatnam City, Visakhapatnam District.
4. Sri Bhawani Prasad, Sub-Inspector of Police, Dwarakanagar Police  
Station, Visakhapatnam City, Visakhapatnam District.
5. Dogga Ramunaidu, S/o. Not Known, aged about 45 years, R/o.  
Doggavanipalem, Pendurthy, Visakhapatnam, Visakhapatnam District.
6. B. Varalakshmi, W/o. Late Srirama Murthy, aged about 48 years, R/o.  
Tatichetlapalem, Kailasapuram, Visakhapatnam-530 024,  
Visakhapatnam District.
7. Paila Srinivasa Rao, S/o. Somulu, aged about 30 years, R/o.  
Atchutapuram (MO), Atchutapuram, Visakhapatnam District.
8. B. Teja, S/o. Late Srirama Murthy, aged about 24 years, R/o.  
Tatichetlapalem, Kailasapuram, Visakhapatnam-530 024,  
Visakhapatnam District.
9. Reddy Nageswara Rao, S/o. Not Known, aged about 30 years, R/o.  
Doggavanipalem, Pendurthy, Visakhapatnam, Visakhapatnam District.

10. Gorle Lakshmi, W/o. R. Nageswara Rao, aged about 24 years, R/o. Mamidipalli Village, Devarapalli Mandal, Visakhapatnam District.

**...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 more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents 2 to 4 more particularly the action of the 4<sup>th</sup> respondent in the capacity of the 3<sup>rd</sup> respondent in calling the petitioner to the Police Station and detaining him hours together without following due process of law on the false complaint said to have been lodged by the unofficial respondents 5 to 10 is as illegal, arbitrary, unjust, unfair and contrary to the Fundamental Principles enshrined in the Constitution and consequently direct the respondents 2 to 4 more particularly 4<sup>th</sup> respondent in the capacity of the 3<sup>rd</sup> respondent not to harass and detain the petitioner in the Police Station without following due process of law on the false complaint said to have been lodged by the unofficial respondents 5 to 10,

**IA NO: 1 OF 2019**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the 3 respondent-Police to register a Crime against the unofficial respondents 5 to 10 basing on the complaint lodged by the petitioner dt. 20.03.2019 and investigate into the matter, in the interest of justice, pending disposal of the main Writ Petition.

**IA NO: 2 OF 2019**

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 respondents 2 to 4 more particularly 4<sup>th</sup> respondent in

the capacity of the 3<sup>rd</sup> respondent not to harass and detain the petitioner in the Police Station without following due process of law on the false complaint said to have been lodged by the unofficial respondents 5 to 10, in the interest of justice, pending disposal of the above Writ Petition.

**IA NO: 3 OF 2019**

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 permit the petitioner to amend the cause title of the 4<sup>th</sup> respondent in W.P.No.4135/2019 as: 4. Sri Rambabu ,Sub-inspector of police Dwarakanagar police station Visakhapatnam City, Visakhapatnam District in place of 4<sup>th</sup> respondent Sri bhawani Prasad sub-inspector of police, Dwarakanagar police station Visakhapatnam city, Visakhapatnam District in the interest of justice.

**Counsel for the Petitioner: SRI RAJESH MATCHA**

**Counsel for the Respondent Nos.1 to 3: GP FOR HOME**

**Counsel for the Respondent Nos.5 to 10: NONE APPEARED**

**The Court made the following: ORDER**





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

[3368]

THURSDAY, THE SEVENTEENTH DAY OF OCTOBER  
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE B V L N CHAKRAVARTHI

WRIT PETITION NO: 4135/2019

Between:

V Nageswara Rao

...PETITIONER

AND

The State Of Ap and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. RAJESH MATCHA

Counsel for the Respondent(S):

1. GP FOR HOME (AP)

The Court made the following order:

This Writ Petition under Article 226 of the Constitution of India is filed for the following relief:

*"to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 2 to 4 more particularly the action of the 4th respondent in the capacity of the 3rd respondent in calling the petitioner to the Police Station and detaining him hours together without following due process of law on the false complaint said to have been lodged by the unofficial*

*respondents 5 to 10 is as illegal arbitrary unjust unfair and contrary to the Fundamental Principles enshrined in the Constitution and consequently direct the respondents 2 to 4 more particularly 4th respondent in the capacity of the 3rd respondent not to harass and detain the petitioner in the Police Station without following due process of law on the false complaint said to have been lodged by the unofficial respondents 5 to 10 and pass such..."*

2. Sri Rajesh Matcha, learned counsel for the petitioner would submit that the cause in the Writ Petition does not survive for further adjudication and the Writ Petition has become infructuous.
3. Learned Assistant Government Pleader for Home appearing for the State is present.
4. Recording the submission made by learned counsel for the petitioner, the Writ Petition is dismissed as infructuous. There shall be no orders as to costs.

As a sequel thereto, the interlocutory applications, if any, pending in this Writ Petition shall stand closed.

**//TRUE COPY//**

**SD/- G HELA NAIDU  
ASSISTANT REGISTRAR**

**SECTION OFFICER**

To,

1. One CC to Sri Rajesh Matcha, Advocate [OPUC]
  2. Two CCs to GP for Home, High Court of Andhra Pradesh [OUT]
  3. Three C.D. Copies
- Cnr

**HIGH COURT**

**DATED:17/10/2024**

**ORDER**

**WP.No.4135 of 2019**



**DISMISSING THE W.P. AS INFRUCTUOUS  
WITHOUT COSTS**