THE HON'BLE SRI JUSTICE A.V. SESHA SAI

WRIT PETITION No.23928 of 2015

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

> *"to issue writ of Mandamus to declare the action of the respondents 2 and 3 in calling the petitioners to Chandrugonda Police Station, Khammam District at the instance of the 4th respondent for the alleged violation of terms of decree dated 04.10.2010 by the learned Prl. Junior Civil Judge Court, Khammam, in O.S.No.452/2006 which is void and unforceable in view of the law laid down by the Hon'ble Supreme Court of India in its order dated 25.09.2012 in Civil Appeal Nos.5030-5031/2004, as arbitrary, illegal and without authority of law apart from in deprivation of right to life and property of the petitioners."*

Heard Sri Hari Sreedhar, learned counsel for the petitioners and learned Government Pleader for Home for respondents, apart from perusing the material available before this Court.

Today, when the matter is called, written instructions, dated 04-08-2015 furnished by the Sub-Inspector of Police, Chandrugonda Police Station, Khammam District have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

> *"One Smt.Ravella Kalavathi-4lh respondent herein had approached the Police of Chandrugonda Police Station, Khammam District and lodged a complaint on 29.6.2015 she is having agricultural lands in Sy.Nos.40, 41, 42, 39 and while she was cultivating the lands in the said survey numbers on 29.6.2015 at about 9.30a.m the petitioners herein and others came there and tried to drag her and they are obstructing her in doing cultivation works and also threatened her if they are doing cultivation in the lands they would kill her and her husband and hence she requested the police to take necessary action as per law.*
>
> *Upon receipt of the said petition, immediately, an entry was made into the Station General Diary on the same day itself ie., on 29.6.205 at 0900 hrs stating that after conducting enquiry action will be taken.*
>
> *In the preliminary enquiry, it is revealed that there are disputes between Smt.Ravella Kalavathi (complainant) and the persons named in her petition who are the writ petitioners herein and others relating to the subject lands in question. Immediately, this respondent police advised her to seek her redressal in a competent civil court. No case whatsoever was registered on the said complaint till date.*
>
> *It is pertinent to submit that on coming to know the lodging of thee above complaint, the petitioners as a precautionary measure to prevent the*

police from taking any action, rushed to this Hon'ble Court and filed the present writ petition with false and frivolous allegations.

I humbly submit that this respondent never interfered with the civil disputes muchless the dispute of the petitioner herein. Having bore grudge against the 4th respondent-complainant, the petitioner made baseless allegations against the respondent police which are far from truth.

The allegation of the petitioner that at the instance of the 4th respondent, the respondent police are summoning her to the police station is absolutely false and hence denied."

On noticing the above said instructions, learned counsel for the petitioners has requested this Court to record the said instructions and close the writ petition.

In view of the above, the writ petition stands disposed of, by recording the written instructions, dated 04-08-2015 furnished by the Sub-Inspector of Police, Chandrugonda Police Station, Khammam District.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. There shall be no order as to costs.

A.V. SESHA SAI, J

August 07, 2015

Pn

THE HON'BLE SRI JUSTICE A.V. SESHA SAI

WRIT PETITION No.23928 of 2015

–

August 07, 2015

Pn