

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

WRIT PETITION No.27387 of 2015

ORDER:

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

“to issue any appropriate writ, order or direction preferably a writ in the nature of Writ of Mandamus, declaring the action of the respondents 2 to 4 in interfering with the civil matters i.e. relating to church premises called “Zion Prayer House” at Guntur and directing the petitioners to deliver possession to 5th respondent when O.S.No.515/2015 is pending on the file of II Addl.Civil Judge, Guntur, as illegal, arbitrary, mala fide, intentional, abuse of powers and consequently direct the respondents 2 to 4 not to interfere in civil matters in the interests of justice and pass all necessary orders for the said purpose.”

Heard Sri K.V. Bhanu Prasad, learned counsel for the petitioners and learned Government Pleader for Home for the respondents 1 to 4, apart from perusing the material available before this Court.

Today, when the matter is called, written instructions, dated 03-09-2015, furnished by the Sub Inspector of Police, Nagarampalem Police Station, Guntur Urban District, have been placed on record by the learned Government Pleader for Home, and the said instructions read as under:

“It is respectfully submitted that one Gaddiparthi Isreal lodged complaint/who is 5th respondent's elders of Zion Prayer House on 27-08-2015 against one Anil, Kiran, Titas and some others along with 3rd petitioner who is the members of 1st petitioner's Trustee stating that they stopped the complainant and objected to conduct prayer and also beaten with sticks for which he sustained bleeding injuries, and

threatened with dire consequence by using filthy language, hence requested to take necessary action. Basing on the complaint a case in Cr.No.248/2015 U/sec.324, 506, r/w.34 IPC of Nagarampalem Police Station, the investigation officer took up the investigation, and the investigation going on.

It is further submitted that again on 28-08-2015 the above said Gaddiparthi Isreal lodged complaint against R. Veerachary/the 2nd petitioner stating that he along with some others creating nuisance while conducting prayers, hence the respondent police bind over the two parties and produced before the Revenue Sub Divisional Officer, Guntur, and MC notice to be served.

It is further submitted that again one Maddela Taitas the member of the Society Trustees/1st petitioner lodged counter complaint on 28-08-2015 against the Darsi Koti Ratnam/5th respondent and some others stating that they are entered into the house of the T.Yesupadam/ 3rd petitioner and beaten him, and created nuisance by destroying the donation boxes and theft of Rs.83,000/- hence requested to take necessary action. Hence, a case in Cr.No.250/2015 U/Sec.143, 323, 380 IPC of Nagarampalem police station, the investigation is also pending.

It is further submitted that both the parties are lodged counter complaint against each other and also they are creating nuisance while conducting the prayers into the above said church. Hence the respondent police took action against their criminal activities, except that the respondent police never interfered into their church activities, hence the allegations made against the respondent police are false and baseless, and denied.”

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

In view of the above, the writ petition stands disposed of, by recording the written instructions dated 03-09-2015, furnished by the Sub Inspector of Police, Nagarampalem Police Station, Guntur Urban District.

The Miscellaneous Petitions pending, if any, shall stand closed. There shall be no order as to costs.

A.V. SESA SAI, J.

Dt.11-09-2015

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WRIT PETITION No.29243 of 2015

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September 10, 2015

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