

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

W.P.No.15331 of 2015

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ORDER:

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

“To issue a Writ of Mandamus or any other appropriate writ or writs, order or direction, declaring the action of the respondents 3 to 5 in harassing the petitioner and coercing her to clear off the debts raised by her husband, as illegal, arbitrary and violative of Article 14 of the Constitution of India by directing the 2nd respondent to forthwith take appropriate action against the respondents 3 to 5 by further directing the respondents 3 to 5 not to interfere with civil liberties of the petitioner and not to coerce her as regards the debts raised by her husband”.

2. The case of the petitioner herein is that she is presently working as Deputy Tahsildar and posted as Project Director, DWMA, Ananthapur and she is the second wife of Sri G.Narayana. On the date of marriage, the said Narayana did not disclose about his subsisting earlier marriage and only after birth of a male child, she came to know about the earlier marriage and immediately she deserted her husband about (8) years back and presently she is living at Ananthapur with her only son and she is not aware of the activities of the said Narayana. It is further pleaded that during the course of his business, the said Narayana incurred huge debts and filed Insolvency Petition on the file of Senior Civil Judge, Hindupur and the said Narayana is residing at Hindupur and is operating his business activities from Hindupur only. It is further stated that the petitioner is residing at Ananthapur on her employment and has no connection with said Narayana.

3. The grievance in the present writ petition is that the respondents 3 to 5 are harassing the petitioner for the debts incurred by her husband and the same is

illegal and infraction of fundamental right guaranteed under Article 14 of the Constitution of India. Pleading in the manner indicated supra, the present writ petition came to be filed.

4. Today when the matter is taken up, written instructions dated 8.6.2015 furnished by the Station House Officer, Ananthapuram I Town Police Station, Ananthapur have been placed on record by the learned Government Pleader. In the said instructions, it is stated that one Ravi Sreenivas Chowdari lodged a complaint on 10.5.2015 stating that the complainant joined in chit amount of Rs.5.00 lakhs with the petitioner's husband namely G.Narayana at the instigation of one N.Gopi Krishna and Ramesh Babu. It is further stated that after completion of chit, when the complainant asked the accused to pay the chit amount, they refused and threatened with dire consequences. In such background, the complainant requested the police to take necessary action and basing on the said complaint, a case in Cr.No.118/2015 has been registered on 10.5.2015 against the petitioner's husband and two others and the police took up investigation and the matter is under investigation. The said instructions further denied the statement of the petitioner that on 11.5.2015 the respondents 4 and 5 along with staff visited the house of the petitioner and demanded to clear off the debts taken from the accused persons and harassed the petitioner as false. It is also stated that the present writ petition is filed to divert the attention of the investigating agency and to escape from criminal liability of the above FIR.

5. On noticing the instructions, the learned counsel for the petitioner requested this Court to dispose of the writ petition by recording the instructions.

6. In view of the above, the writ petition is disposed of recording the above referred instructions furnished by the Station House Officer, Ananthapuram I Town Police Station, Anantpur district. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 16.6.2015

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

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16.6.2015

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

W.P.No.15220 of 2015

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Date: 16.6.2015

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Between:

Smt.P.Shyamaladevi W/o G.Narayana
... Petitioner

and

State of A .P., rep. by Principal Secretary to Government,
Home Department, Secretariat,
Hyderabad & others.

... Respondents