

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

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WRIT PETITION No.30159 OF 2015

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ORDER:

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

“to issue a writ order or direction more particularly one in the nature of Writ of Mandamus, by declaring the action of the 3rd respondents and their staff in harassing the petitioner at the instigation of the respondents No.4 to 6 by entertaining and involving in civil/Business disputes as illegal, arbitrary and against the principles of natural justice and violative of Article 14, 19 and 21 of Constitution of India. Consequently, to direct the respondent.No.2 and 3 not to harass the petitioner and his family members by calling them to police station of the 3rd respondent at the instigation of the respondents No.4 to 6 by entertaining and involving in civil/Business disputes and pass such other order or orders as may deem fit and proper in the circumstances of the case

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2. When the matter is called today, written instructions dated 23.09.2015, furnished by the Assistant Sub Inspector of Police, Old Guntur 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 the contention of the petitioner that the 3rd respondent-Station House Officer, Old Guntur police station, Guntur Urban District and staff harassed the petitioner and his family members at the instance of the respondents 4 to 6 by entertaining and involving in civil/business dispute by calling the petitioners to the police station is false, hence denied.

The facts of the case are that the 3rd respondent-Station House Officer, Old Guntur police station, Guntur Urban District received the complaint of the 6th respondent herein-Kunduru Saidamma through

the Superintendent of Police, Guntur District vide C.No.1060/A10/Grievance/2015 (C.No.148 SHO old Guntur) for necessary action.

The sum and substance of the complaint are that the petitioner herein and the complainant's son by name Laxma Reddy including the respondents 4 and 5 were the partners of the wine shop, due to difference the petitioner called the said Laxma Reddy to take amount of Rs.5.lakhs, the said Laxma Reddy went to the petitioner herein, since then whereabouts of her son/Laxma Reddy not known. The complainant requested the police to take necessary action.

It is submitted that during the course of enquiry it revealed that there was a dispute between the petitioner and his partner Laxma Reddy with regard to running of wine shop. Further it revealed that the son of the complainant/Laxma reddy come back to his house staying with his mother/complainant.

It is respectfully submitted that as stated above the 3rd respondent-Station House Officer, Old Guntur police station, Guntur Urban District and staff never harassed, threatened and interfered with the business, life and liberty of the petitioner and his family members at the instance of the respondents 4 to 6 at any point of time.

It is respectfully submitted that all the other allegations leveled against the respondents police are false, baseless, far from truth and has been created for the purpose of filing the present writ petition."

3. On noticing the said instructions, learned counsel for the petitioner requested this court to dispose of the writ petition by recording the written instructions.

4. In view of the above, writ petition is disposed of, by recording the written instructions dated 23.09.2015, furnished by the Assistant Sub Inspector of Police, Old Guntur Police Station, Guntur Urban District.

5. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

30th September, 2015

