

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

WRIT PETITION No.40097 of 2012

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 action of Respondents in repeatedly insisting the petitioner to appear before their authority and insisting him not to cultivate and enter into in their agricultural lands of southern side Ac.119-00 cents out of a total extent of Ac.310-22 cents Zeroity dry agricultural Godavari Lanka lands in R.S.No.2 and new Patta No.170 of Prakkilanka Village of Tallapudi Revenue Mandal, West Godavari District, and interference of civil disputes in spite orders from the Hon'ble High Court and competent civil courts in their favor and issuance of notice dt. 13-12-2012 by 5th Respondent and further threatening to dispossess them as illegal, irregular, irrational, without jurisdiction and violative of articles 14 and 21 of the Constitution of India and consequently direct the respondents not to interfere in any manner with the personal liberty of the petitioner and his properties.”

Heard Sri M. Srirama Rao, learned counsel for the petitioner and learned Government Pleader for Home for respondents, apart from perusing the material available before this Court.

A counter-affidavit is filed by the Circle Inspector of Police, Kovvur Circle, West Godavari District and in paragraph No.13 of the counter-affidavit it is stated that except registration of two crimes against the petitioner and others and 8th respondent herein and others and proceeding with the investigation, in accordance with law, the 6th respondent never interfered with the civil disputes. It is also averred that mere registration of criminal cases and proceeding with the investigation as contemplated under law, does not amount to interference of the respondent police into the civil disputes.

While referring to the same, it is represented by learned counsel for the petitioner that the said averments may be recorded and writ petition may be disposed of.

For the aforesaid reasons, the writ petition stands disposed of, by recording the averments mentioned in paragraph No.13 of the counter-affidavit.

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

A.V. SESA SAI, J

December 07, 2015

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