

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD

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For the State of Telangana and the State of Andhra Pradesh

MAIN CASE NO: W.P.No.22320 OF 2015

Between:

Gadi Kameshwara Rao

.. Petitioner (s)

And

The State of Telangana and others

.. Respondent(s)

DATE OF JUDGMENT PRONOUNCED: 06.08.2015

SUBMITTED FOR APPROVAL:

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

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| 1. Whether Reporters of Local news papers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? | Yes/No |

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

W.P.NO.22320 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, declaring the action of the 3rd respondent in harassing the petitioner by calling to the police station and detaining him hours together and threatening in filthy language to pay the due amount to the 4th respondent as illegal, arbitrary and unconstitutional and consequently direct the respondents not to harass by calling him to the police station.”

Heard Sri Ponnam Ashok Goud, learned counsel for petitioner and learned Government Pleader for Home for respondents 1 to 3.

When the matter is called, Learned Government Pleader for Home has placed on record the written instructions dated 22.07.2015 furnished by the Sub-Inspector of Police, Karimnagar II Town Police Station, Karimnagar District and the said instructions reads as under:

“It is submitted that basing on the said complaint entry was made in the General Diary vide page No.34, Sl.No.14 dated 17.01.2015. During the course of enquiry on 19.01.2015 the respondent police called the petitioner his brothers and complainant for the purpose of enquiry. After the enquiry it revealed that there was a dispute between the petitioner and the 4th respondent herein/complainant with regard to the money transaction. As the matter relates to civil in nature, hence the respondent police advised the complainant to approach an appropriate Civil Court for redressal.

It is pertinent to mention here that on 19.01.2015 the

respondent police called the petitioner herein to the police station as per Section 149 Cr.P.C. only in good faith for the purpose of preventing him from the commission of any kind of offence.

It is respectfully submitted that the contention of the petitioner that the 3rd respondent – Station House Officer, Karimnagar II Town Police Station, Karimnagar harassed, abused in filthy language and detained the petitioner in the police station and threatened the petitioner to pay the alleged due amount to the 4th respondent-Gunta Ravi is false, hence denied.

The allegation of the petitioner that on 14.07.2015 this respondent called the petitioner to the police station through an Advocate and threatened to repay the alleged amount to the 4th respondent is false hence denied.

It is submitted that after going through the contents of the affidavit filed in support of the writ petition it seems that there was a dispute between the petitioner and the 4th respondent herein with regard to some money transactions, for which the respondents police nothing to do with it. The petitioner unnecessarily involving the police into the said litigation.

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

In view of the above, the writ petition is disposed of recording the written instructions dated 22.07.2015 furnished by the Sub-Inspector of Police, Karimnagar II Town Police Station, Karimnagar District. There shall be no order as to costs.

Pending miscellaneous petitions in this writ petition, if any, shall stand dismissed in consequence.

A.V.SESHA SAI, J

06.08.2015
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HON'BLE SRI JUSTICE A.V.SESHA SAI

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