

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

-

**WRIT PETITION No.29595 OF 2012**

-

**ORDER:**

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

“to issue, a writ of Mandamus declaring the action of the of the 1<sup>st</sup> respondent in interfering the civil disputes by calling the petitioners to the police station daily as illegal, arbitrary, against the principles of natural justice and violation of Articles 14, 19(1) (g), 21 and 300-A of the Constitution of India and further direct the respondents not to disturb the fish tank of the petitioners admeasuring Ac.2-89 cents in S.No. 160/2 of Seethannapalem village, Krithivenu Mandal, Krishna district and pass such other order or orders as this Hon'ble Court may fit and proper in the interest of justice.”

2. When the matter is called today, written instructions dated 05.10.2012, furnished by the 1<sup>st</sup> respondent/Station House Officer, Kruthivenu Police Station, Kruthivenu Mandal, Krishna District, have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

*“It is submitted that the 1<sup>st</sup> respondent/SHO Kruthivenu P.S. Krishna District has never harassed, threatened and interfered with the civil disputes in Sy.No. 160/2 of Seethannapalem Village by calling the petitioners to the police station at any point of time.*

*It is respectfully submitted that, at present no criminal cases are registered against the petitioners on the file of the 1<sup>st</sup> respondent/SHO Kruthivenu P.S. Krishna District.*

*It is pertinent to mention here that, earlier the petitioners herein had filed W.P.No. 17232/2010 and the Hon'ble High Court by orders dated 23.03.2011*

*disposed of the writ petition with a direction to the 2<sup>nd</sup> respondent/Tahsildar, Kruthivenu Mandal to conduct an enquiry as to whether the petitioners had provided a channel for the outflow of the water and in case such a channel has been provided, then the Tahsildar should also see to it that there is no seepage towards the fields of the 3<sup>rd</sup> respondent/Pasam Srinivas, then the petitioners shall take steps to stop the seepage. The enquiry be conducted by the Tahsildar within a period of one month from today. Before conducting the enquiry, he shall issue notice to the petitioners as well as the 3<sup>rd</sup> respondent.*

*It is submitted that, accordingly the Tahsildar, issued notices to the petitioners, 4<sup>th</sup> respondent as well as SHO Kruthivenu P.S. vide Rc.No.B./76/2010, dt:4.8.2012 and 4.9.2012 respectively.*

*It is respectfully submitted that on perusal of the affidavit filed by the petitioners, it shows that, the above writ petition has been filed by the petitioners as a precautionary measure, if the 3<sup>rd</sup> respondent/Pasam Srinivasa Rao or anybody lodges a complaint against them and to prevent the police from taking any action. As such all the allegations leveled in the affidavit by the petitioners against this respondent are false, incorrect, baseless and has been created for the purpose of filing the present writ petition.*

*It is submitted that, as stated above, the 1<sup>st</sup> respondent/SHO Kruthivenu P. S. Krishna District has never harassed, threatened and interfered with the civil disputes in Sy.No. 160/2 of Seetharmapalem Village by calling the petitioners to the police station at any point of time.”*

3. On noticing the said instructions, learned counsel for the petitioners 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 05.10.2012, furnished by the 1<sup>st</sup> respondent/Station House Officer, Kruthivenu Police Station, Kruthivenu Mandal, Krishna 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**

05<sup>th</sup> November, 2015  
SS