

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.20861 of 2011

ORDER:

The grievance of the petitioner was that the Circle Inspector of Police, Matwada Police Station, Warangal District, the 3rd respondent, was interfering with his civil dispute with the 4th respondent and making him sit for hours together in the police station at Matwada, though the said police station had no jurisdiction over the matter. The petitioner's civil dispute was stated to be in connection with the open land admeasuring 1613 square yards in Survey No.766/2, Mulugu Road, Hanamkonda, Warangal District.

The Inspector of Police, Matwada Police Station, Warangal District, filed a counter-affidavit in June, 2015, stating that the 4th respondent submitted a petition to the Superintendent of Police, Warangal Urban, against the petitioner and others and thereupon, the Superintendent of Police, Warangal Urban, called for a report from the Inspector of Police, Matwada Police Station. Upon due enquiry, a report was stated to have been submitted to the Superintendent of Police, Warangal Urban, under letter dated 06.08.2011. The Inspector of Police stated that for the purpose of this enquiry, the police authorities interacted with both the parties and in this process, the petitioner might have been summoned to the police station for advising them. Having stated so, the Inspector of Police contradicted himself in the next paragraph by claiming that at no point of time, the petitioner was summoned to the police station or made to sit there for hours together. He further stated that the issue was purely civil in nature and therefore, no action was taken by the police authorities. He asserted that the police authorities never interfered with the petitioner's civil dispute.

As regards the petitioner's contention that the Matwada Police Station did not have jurisdiction, the counter filed by the Inspector of

Police, Matwada Police Station, was not responsive. Learned Government Pleader for Home, however, fairly conceded that the Matwada Police Station did not have jurisdiction over the matter as the land, in relation to which the complaint was made by the 4th respondent, was situated within the territorial jurisdiction of Hanamkonda Police Station. Though the learned Government Pleader would state that the Superintendent of Police, Warangal Urban, asked the Matwada police authorities to conduct an enquiry, he fairly concedes that there is no provision in the Code of Criminal Procedure, 1973, whereby the superior authority could have entrusted the matter to a police station which had no jurisdiction, when no other issue warranting such a step was involved.

A copy of the report dated 06.08.2011 addressed by the Matwada police authorities to the Superintendent of Police, Warangal Urban, is also produced and perusal thereof reflects that the Matwada police authorities finally concluded that the dispute between the parties was purely civil in nature and they were accordingly advised not to indulge in any criminal activity. Adverting to the filing of the present writ petition, the Superintendent of Police was also informed that the Matwada police authorities did not support either party or cause any inconvenience to the petitioner.

Sri K.Govind, learned counsel for the petitioner, is unable to inform this Court as to whether the petitioner's grievance still survives as his client is not in contact with him. However, in the light of the aforesaid facts reflecting the stand of the police authorities, this Court is not inclined to keep the matter pending. Though the Matwada police authorities had no jurisdiction to entertain the complaint or cause an enquiry, the final conclusion arrived at by them was that the case was not a fit one for initiation of criminal proceedings. Further, the police authorities have gone on record that they were not interfering with the civil dispute of the petitioner. In the light of the report already filed by them, the question of the petitioner being summoned to the police

station again would not arise in the context of this case.

The writ petition is accordingly closed taking on record the stand of the police authorities.

Pending Miscellaneous Petitions, if any, shall also stand closed. No order as to costs.

SANJAY KUMAR, J

Date:31.08.2015

GJ