

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

W.P.No.24966 of 2015

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India, seeking the following relief:

“To issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents particularly the 3rd respondent in calling the petitioner and his family members to the police station without there being registering any crime as illegal, arbitrary, unjust, malafide and contrary to the procedure contemplated under law and consequently direct the 3rd respondent not to interfere with petitioner and his family members' personal life and liberty by calling them to the police station without registering any crime”.

2. Heard Sri Ravi Cheemalapati, learned counsel for the petitioner and learned Government Pleader for Home, appearing for respondents 1 to 3, apart from perusing the material available on record.

3. Today, when the matter is called, written instructions dated 11.9.2015 furnished by the Sub-Inspector of Police, Mahila Police Station, Visakhapatnam City have been placed on record by the learned Government Pleader for Home. In the said written instructions, it is stated as under:

“The facts of the case are that the 4th respondent-Pala Tejasri lodged a complaint on 12.7.2015 with the Station House Officer, IV Town Police Station, Visakhapatnam City, stating that her marriage was performed with the petitioner herein on 12.5.2013. After the marriage, her husband and family members were harassed mentally and physically for additional dowry. Further her husband filed case and the Hon'ble Court issued notice to her. The complainant requested the Station House Officer, IV Town Police Station, Visakhapatnam City to take necessary action.

It is submitted that basing on the said complaint the Station House Officer, IV Town Police Station, Visakhapatnam City forwarded it to the Station House Officer, Mahila Police Station, Visakhapatnam City for the purpose of counselling.

It is submitted that basing on the said complaint the respondent police called both the parties for the purpose of

counselling. But the parties not cooperate with the counselling authority, hence on 18.8.2015 the said complaint was forwarded to the District Legal Service Authority, Visakhapatnam for further counselling and the matter is pending.

It is respectfully submitted that the contention of the petitioner that the Station House Officer, Mahila Police Station, Visakhapatnam city interfered with the life and liberty of the petitioner and his family members is false hence denied. It is submitted that except conducted the counselling between the petitioner and the 4th respondent herein the respondent Police never harassed threatened and interfered with the life and liberty of the petitioner at any point of time as alleged by the petitioner herein.

It is incorrect to say that the respondent Police detained the petitioner and his family members in the police station and at the instigation of the 4th respondent, threatened to withdraw the divorce OP filed by the petitioner against the 4th respondent, hence denied.

It is further submitted that the respondents police discharged their legitimate duties by conducting the counselling between the parties, but they never harassed or interfered with the life and liberty of the petitioner herein at any point of time.

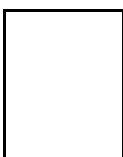
It is respectfully submitted that the other allegations levelled against the respondents police are incorrect, baseless, far from truth and has been created for the purpose of filing the present writ petition.”

4. On noticing the same, the learned counsel for the petitioner requested this Court to close the writ petition by recording the said written instructions.

5. In view of the above reasons, the writ petition is disposed of, by recording the written instructions dated 11.9.2015 furnished by the Sub-Inspector of Police, Mahila Police Station, Visakhapatnam District. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 28.9.2015
DA



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Between:

Palla Venkata Siva Santosh Kumar

... Petitioner

and

State of Andhra Pradesh, rep. by its
Principal Secretary, Home Department,
Secretariat, Hyderabad and others.

... Respondents

DATE OF JUDGMENT PRONOUNCED: 28th September, 2015

SUBMITTED FOR APPROVAL:

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THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

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| 1. Whether Reporters of Local Newspapers
May be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
Marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Lordship wish to see the
Fair copy of the judgment? | Yes/No |