

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

WRIT PETITION No.27069 OF 2015

ORDER:

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

“to issue a writ or order or direction, especially one in the nature of Writ of Mandamus: i) declare the action of the 2nd respondent in calling the petitioner and also his family members illegally to the police station frequently, at the instance of the 3rd respondent, as illegal and arbitrary ii) consequently direct the 2nd respondent not to call the petitioner as well as his family members illegally to the police station frequently, unless by following due process of law iii) and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. When the matter is called today, written instructions dated 31.08.2015, furnished by the Assistant Sub-Inspector of Police, II Town Police Station, Bellampalli, Adilabad District, have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

“The facts of the case are that the 2nd respondent-Station House Officer, II Town police station, Bellampalli, Adilabad District received the complaint of the 3rd respondent/Chetti Shobha through Sub Divisional Police Officer, Bellampalli vide C.No.90/Pet/SDPO-B/15 dated: 8.7.2015 for necessary action.

The sum and substance of the complaint was that the complainant's marriage was performed in the year 2013 with the petitioner herein. After the marriage her husband and family members were harassed mentally and physically for additional dowry.

It is submitted that basing on the said complaint the 2nd respondent-Station House Officer, II Town police station, Bellampalli, Adilabad District entered the same

into the General Diary and during the course of counseling the police called the petitioner and the complainant for the purpose of counseling. The petitioner herein instead of cooperating with the counseling filed the above writ petition with baseless allegations.

It is respectfully submitted that the contention of the petitioner that the 2nd respondent-Station House Officer, II Town police station, Bellampalli, Adilabad District harassed, called the petitioner, his younger brother and other family members daily, detained him in the police station and his family members in the police station at the instance of the 3rd respondent/Chetti Shobha is false, hence denied.

It is incorrect to say that the 2nd respondent police demanded the petitioner to accept for mutual consent divorce and to pay huge amount to the 3rd respondent or else the petitioner will be implicated in Dowry Prohibition case, hence denied.

It is also incorrect to say that at the instance of the 2nd respondent police, the 3rd respondent herein necked out the petitioner from his house, hence denied.

As stated above the 2nd respondent police never harassed and interfered with the matrimonial life of the petitioner and the 3rd respondent at any point of time as alleged by the petitioner herein.

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

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

4. In view of the above, writ petition stands disposed of, by recording the written instructions dated 31.08.2015, furnished by the Assistant Sub-Inspector of Police, II Town Police Station, Bellampalli, Adilabad District.

5. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

01st September, 2015
SS

A.V.SESHA SAI, J