

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

WRIT PETITION No.16642 of 2015

ORDER:

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

“to issue Writ of Mandamus declaring the action of the 4th and 5th respondents in interfering with the civil matters pertaining to the land bearing Sy.Nos.353/AA, Ac.0-31 guntas, Sy.No.353/E, Ac.0-15 ½ guntas, Sy.No.353/EE, Ac.0-15 ½ guntas, Sy.No.318/1/EE, Ac.0-12 guntas, Sy.No.318/2/AA, Ac.1-29 guntas, Sy.No.354/AA, Ac.0-18 guntas, Sy.No.318/1/EE, Ac.0-12 guntas, Sy.No.318/2/EE, Ac.0-34 ½ guntas, Sy.No.354/2/EE, Ac.0-09 guntas, Sy.No.318/1/E, Ac.0-12 guntas, Sy.No.318/2/E, Ac.0-31 ½ guntas, Sy.No.318/2/E, Ac.0-03 guntas, Sy.No.354/2/E, Ac.0-09 guntas, Sy.No.353, Ac.0-15 ½ guntas, in total extent of Ac.7-10 guntas, situated at Christianpally G.P., H/o.Mahabubnagar Sivar and District, of the wife of the 1st petitioner, wife of his brother and J. Srinivasulu and foisting criminal cases with a view to terrorize the petitioners to leave their own agriculture land is illegal, arbitrary, unjust, discriminatory, violation of provisions of civil and criminal laws, violation of Articles 14 and 21 of the Constitution of India.”

Heard Sri V. Padmanabha Rao, learned counsel for the petitioners and learned Government Pleader for Home.

When the matter is taken up, written instructions, dated 18-06-2015 furnished by the Inspector of Police, Mahabubnagar Rural Police Station have been placed on record by the learned Government Pleader for Home wherein it is stated that the petitioners herein are shown as accused in F.I.R.No.53 of 2015 for the alleged offences under Sections 447, 427, 323, 504 and 506

r/w.34 of IPC, F.I.R.No.54 of 2015 for the alleged offences under Sections 147, 148, 447, 427, 307 and 324 r/w.149 of IPC and F.I.R.No.153 of 2015 for the alleged offences under Sections 447, 427 and 506 r/w.34 of IPC on the file of Mahabubnagar Rural Police Station and are pending investigation. It is further stated that except institution of the said criminal cases and proceeding with the investigation the respondents never interfered with the civil disputes as alleged. It is also stated in the said instructions that mere registration of criminal cases and proceeding with the investigation of the cases does not amount to interference of the respondent/police into the civil disputes of the petitioners. It is also stated in the instructions that to divert the attention of the Investigating Officer and to escape from the criminal law, the present writ petition has been filed with false and frivolous allegations. It is also stated in the said instructions that had the petitioner made the complainant as proper party-respondent to the writ petition, the real facts would come to light.

In view of the above written instructions and taking into consideration the nature of controversy, the writ petition stands disposed of by recording the above written instructions submitted by the Inspector of Police, Mahabubnagar Rural Police Station. There shall be no order as to costs.

The Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A.V. SETHA SAI, J

June 22, 2015

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

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