

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

WRIT PETITION No.26515 OF 2015

ORDER:

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

“to issue a writ, order or direction more particularly one in the nature of mandamus declaring the action of the respondents 3 and 4 and their police personnel in interfering with the civil disputes between the petitioner and the 5th respondent and others and further action of the respondents 3 and 4 in making the petitioner to sit in the police station for hours together, as illegal, arbitrary and violation of Articles 14 and 21 of the Constitution of India and consequently direct the respondents not to harass the petitioner in any manner by interfering into the civil disputes existing between the petitioner and 5th respondent and others 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 01.09.2015, furnished by the Inspector of Police, Sattennapalli Town Police Station, Guntur Rural 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 5th respondent herein filed private complaint U/s. 200 Cr.P.C., before the Hon'ble 1st Addl. Junior Civil Judge Court, Sattennapalli vide CFR No. 6249/2014 against the petitioner and 2 others with regard to the land admeasuring Ac.0.32 cents out of Ac. 1.89 cents in D.No.291 of Sattennapalli. It is respectfully submitted that basing on the said complaint a case in Cr.No.159/2014 dated: 02.12.2014 U/s. 420,423, 506 r/w. 34 IPC & Sec. 156 (3) Cr.P.C. has been registered against the petitioner and 2 others on the file of Sattennapalli Town police station, Guntur Rural District and the case is under investigation.

It is respectfully submitted that the contention of the petitioner that the respondents 3 and 4 and their police personnel abused the petitioner in filthy language, interfered with the civil disputes between the petitioner and the 5th respondent-Matti Rama Rao and detained the petitioner in the police station is false, hence denied.

It is incorrect to say that the respondents police threatened the petitioner to settle the dispute with the 5th respondent or else the police will implicate him in false cases, hence denied.

It is submitted that the petitioner herein is required for the purpose of investigation. The petitioner instead of cooperating with the investigating agency filed the above writ petition with baseless allegation to divert the attention of the investigating agency.

It is respectfully submitted that after going through the contents of the affidavit and material papers filed in support of the writ petition it was revealed that the above said property is under dispute between the petitioner and the respondent No.5 in O.S.No.10/2015 before the Hon'ble IV Addl. District Judge Court, Guntur District for which the police has nothing to do with it. The petitioner unnecessarily involving the police into civil litigation.

The police maintaining law and order problem to keep peace and tranquility in the area, but it does not mean interference and harassment of the respondents police.”

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 01.09.2015, furnished by the Inspector of Police, Sattennapalli Town Police Station, Guntur Rural 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

04th September, 2015
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