

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

WRIT PETITION No.26039 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 Writ of Mandamus declaring the action of the 4th respondent in summoning the petitioner to the 4th respondent police station and to compromise the matter with the 5th respondent without following due process of law as illegal, arbitrary and violative of Article 21 of Constitution of India and consequently direct the 2nd to 4th respondents not to summon the petitioner to the 4th respondent police station in connection with civil disputes and be pleased to pass such other and further 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 27.08.2015, furnished by the Assistant Sub Inspector of Police, Nandigama Police Station, Krishna District, have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

“It is respectfully submitted that one K.Bhanumathi/5th respondent herein approached police, lodged complaint against one K.Bhaskar Rao/ the petitioner herein stating that she is owner of the land an extent of Ac. 0.61 cents out of Ac.2.61 cents Damulur village, Nandigama Mandal, Krishna District which was belongs to her father. And she is doing cultivation in to the above said land by paying taxes. It is further submitted that remaining land was given to her sisters and her brother sold away his property share and settled at Torrur village at Warangal District.

It is further submitted that when she visited her site at Damulur Village, she found one Manda Ramaiah in her land and stated that he took the land from one

K.Bhaskar Rao/the petitioner herein for lease and doing cultivation. Hence she requested to take necessary action.

Basing on the complainant given by the 5th respondent, the respondent police conducted a preliminary enquiry with the petitioner and the 5th respondent, it reveals that the petitioner is the brother of the 5th respondent. And moreover it is purely civil dispute between them.

Hence the respondent police advised the 5th respondent and petitioner to settle the matter by compromise or to approach the Civil Court for redressal."

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 27.08.2015, furnished by the Assistant Sub Inspector of Police, Nandigama Police Station, Krishna 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

01st September, 2015
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