

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40017 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the 3rd respondent in calling the petitioner to his office on the behest of the 4th respondent and ordered the petitioner to marry and forced to settlement without any crime registered against the petitioner, as illegal and arbitrary.

Heard and perused the material available on record.

The case of the petitioner is that the petitioner and the 4th respondent both are working in Railways and are residing in the same residential locality of Chilakalaguda of Secunderabad. The 4th respondent developed love and affection towards the petitioner and proposed several times for marriage, but could not able to convince her family members. Both the petitioner and the 4th respondent decided to marry after settling the family issues of the petitioner, but since the 4th respondent apprehended that the petitioner may marry some other lady, she approached the 3rd respondent and pressurized the police and that the 3rd respondent called the petitioner and ordered to appear every day and on several threats, the petitioner appeared before the 3rd respondent on 04.11.2016 and that the petitioner noticed that the 4th respondent, being influenced with higher officials and on the pressure, the 3rd respondent ordered the petitioner to execute a bind-over of undertaking regarding the marriage and the petitioner executed a bond on 04.11.2016 by saying that the petitioner will marry the 4th respondent on or before 03.02.2017. On the basis of the said bond executed by the petitioner, the 3rd respondent herein is continuously calling the petitioner and harassing the petitioner to settle the matter even prior to the expiry of

the date mentioned in the said bond, without there being any case registered against the petitioner for any cognizable offence.

Considering the grievance of the petitioner, this Court is of the view that the 3rd respondent has got no power to compel any person to marry another person, when there is no cognizable offence reported to the 3rd respondent.

Hence, the Writ Petition is disposed of by directing the 3rd respondent not to harass the petitioner on the basis of the bond executed by the petitioner on 04.11.2016 and the 3rd respondent is further directed not to interfere with the affairs of the petitioner and the 4th respondent. However, this order will not stand in the way of the 3rd respondent to register a case, if any complaint is lodged against the petitioner for cognizable offence.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 21st November, 2016

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