

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 41573 OF 2015

ORDER

The prayer of the petitioners in this case is as under:

“For the reasons stated in the accompanying affidavit the petitioners prayed that this Hon’ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of 3rd respondent is repeatedly insisting the petitioners to give up their title, possession and enjoyment over their landed property of Ac.2.00 cents covered by Survey Numbers 881, 889, 894, 894/2B, 895 and 895/2 of Eluru-III Revenue Village in Eluru Mandal of West Godavari District, in favour of respondents 4 to 6, in spite of pending civil suit between respondents 4 and 5 on one hand the petitioners on the other, as illegal, irregular, irrational, without any authority of law and violative of Articles 14 and 21 of constitution of India and consequently direct the 3rd respondent not to interfere in any manner with petitioners' personal liberty and property and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

The Sub Inspector of Police, Eluru Rural Police Station, West Godavari District, filed a counter affidavit wherein he denied the allegation of the petitioners that the police authorities insisted that the petitioners give up their title, possession and enjoyment over the subject land. He also denied the petitioners’ allegation that the police authorities summoned them for settling a civil dispute with the unofficial respondents. The Sub-Inspector asserted that the police authorities were only discharging their legitimate duties and maintaining law and order.

In the light of the aforestated stand of the police authorities, which is duly taken on record, no adjudication is warranted on merits.

Sri G. Naresh Kumar, learned counsel representing Sri Nimmagadda Satyanarayana, learned counsel for the petitioners, is also agreeable to the closure of the case recording the stand of the police authorities.

The writ petition is accordingly closed.

Pending Miscellaneous Petitions shall also stand closed. No order as to costs.

Date: 26.02.2016
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SANJAY KUMAR, J