

**THE HON'BLE SRI JUSTICE SANJAY KUMAR**

**WRIT PETITION No.36006 OF 2015**

**ORDER:**

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

“For the reasons accompanying the affidavit, it is therefore prayed that this Hon’ble Court may be pleased to issue a Writ, order or direction especially one in the nature of Writ of Mandamus declaring that

- a) action of the 3<sup>rd</sup> respondent in calling the petitioner to the police station, frequently in the absence of any crime registered against the petitioner is illegal and arbitrary.
- b) the 3<sup>rd</sup> respondent has got no power to interfere with the civil disputes between the petitioner and the 4<sup>th</sup> respondent.
- c) and pass such order or orders which may deem fit and proper in the circumstances of the case.”

The Inspector of Police, Sathupally Police Station, filed a counter-affidavit stating that the fourth respondent, who is the brother of the petitioner, had submitted a petition to the Superintendent of Police, Khammam District, on 28.09.2015 alleging that he had been cheated in the context of certain family properties. Upon receipt of the said petition, it was endorsed and forwarded to the Station House Officer, Sathupally Police Station, for necessary action. Thereupon, the police authorities undertook a preliminary enquiry and found that the dispute was purely a family dispute and no action was warranted on the complaint made. The allegation of the petitioner that he had been called to the police station for pressurizing him to settle the matter was denied. The Inspector also denied interference with the petitioner’s family disputes. He concluded by stating that as of now, no case had been registered against the petitioner and that his presence was not at all required in the context of any of the cases registered on the file of Sathupally Police Station.

In the light of the afore-stated unrebutted counter-affidavit averments, it is clear that the police authorities merely undertook a preliminary enquiry upon the complaint made by the fourth respondent and having found that it was a family dispute, they did not take any further action. Needless to state, the police authorities would always be mindful of the limits of their jurisdiction in the context of any criminal complaint when it is apparent that the issue is purely a civil dispute in which they have no role to play.

Making this position clear, the writ petition is closed. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

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**JUSTICE SANJAY  
KUMAR**

19<sup>th</sup> January, 2016  
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