

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

* * * *

WRIT PETITION No.37627 of 2012

Between:
Koviri Pentayya.

....Petitioner

and

The Station House Officer,
New Port Police Station, Gangavaram Village,
Peda Gantayada Mandal, Visakhapatnam District,
And others.

....Respondents

JUDGMENT PRONOUNCED ON : 29.02.2016

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO :

1. Whether Reporters of Local newspapers : Yes
may be allowed to see the Judgments?
2. Whether the copies of judgment may be : No
Marked to Law Reporters/Journals?
3. Whether Their Ladyship/Lordship wish to : No
see the fair copy of the Judgment?

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.37627 of 2012

ORDER:

This Writ Petition was filed challenging the action of the first respondent in interfering with the civil and labour disputes, as arbitrary and illegal.

Learned Government Pleader, on the basis of the written instructions, submits that a complaint was lodged against the petitioner and others by the fourth respondent on 03.09.2012 stating that the petitioner assured the complainant that he would provide permanent

mechanical job in the Steel Plant, Visakhapatnam, and demanded Rs.1,10,000/- from the complainant. On his assurance the complainant paid the said amount to the petitioner. But, the petitioner failed to provide the job. When the complainant asked the petitioner to return the amount, he refused to return the amount and stated that he gave some amount to one Salapasitti Srinivasa Rao and Malayali Katathali Hassan Kutti. Pursuant to the said complaint, a case in Crime No.129 of 2012 was registered against the petitioner and two others. During the course of investigation the evidence did not disclose the involvement of the third accused. In those circumstances, accused Nos.1 and 2 were arrested on 22.09.2012 and were sent to judicial custody. A charge sheet was filed on 24.09.2012 before the learned III Additional Chief Metropolitan Magistrate, Gajuwaka, Visakhapatnam. It is further stated that, except registering the above crime, the Police never interfered with the civil dispute between the petitioner and respondent Nos.3 and 4 at any point of time.

In view of the above statement of facts stated by the learned Government Pleader, on the basis of the written instructions, and in the absence of any evidence, it cannot be held that the first respondent is interfering with the civil disputes and labour disputes. If the petitioner is having any grievance against respondent Nos.2 to 4, it is open to him to take appropriate legal proceedings against them.

The Writ Petition is, accordingly, dismissed. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

29.02.2016
vs