

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41952 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus directing the respondents 3 and 4 not to call the petitioner to the Itukulapalli Police Station pertaining to civil dispute by declaring their arbitrary action as illegal and arbitrary.

Heard and perused the material.

Learned counsel for the petitioner submits that the daughter of the petitioner allegedly took the loan of Rs.2,00,000/- from the fifth respondent and later she died and as such, the fifth respondent influenced the respondents 3 and 4 to call the petitioner to the police station. The fifth respondent is calling the petitioner to the police station and demanding him to pay the said amount to the fifth respondent.

Learned Assistant Government Pleader for Home (Andhra Pradesh) submits that the respondents 3 and 4 are not interfering with the affairs of the petitioner and that they are not calling the petitioner to the police station and demanding him to pay the said amount to the fifth respondent.

Considering the rival submissions of the learned counsel for the petitioner and the Assistant Government Pleader for Home (Andhra Pradesh), and also considering the facts and circumstances of the case, the respondents 3 and 4 are directed not to call the petitioner to the police station concerned and not to demand the petitioner to pay the amount of Rs.2,00,000/- to the fifth respondent. The respondents 3 and 4 are also directed to follow due process of law laid down in Code of Criminal Procedure.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

02.12.2016

pln