

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.3739 OF 2016

ORDER

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

'It is therefore prayed that this Hon'ble Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or direction, (1) declaring the action of the 2nd respondents seeking information with regard to the title of the land to an extent of Ac. 0.35 cents in Sy.No.892/45/7-II of Piduguralla Village and Mandal, Guntur District from 3rd respondent as illegal and arbitrary and (2) to declare the communication sent by the 3rd respondent to the 2nd respondent vide Rc.No.790/2015-DT, dated 22-12-2015 determining the title of property as illegal and arbitrary and consequently direct the respondents 1 and 2 to desist themselves from interfering with Civil Disputes regards to the title dispute of the petitioner and the 4th respondent in regard to the land to an extent of Ac. 0.35 cents in Sy.No.892/45/7-II of Piduguralla Village and Mandal, Guntur District for which cases are pending before the Competent Civil Court, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.'

The Inspector of Police, Piduguralla Rural Circle, i/c Piduguralla Police Station, Guntur District, filed a counter-affidavit stating that upon the complaint made by the fourth respondent before the learned Junior Civil Judge, Piduguralla, which was forwarded to the police authorities, Crime No.313 of 2015 was registered on 13.10.2015 under Sections 420, 447, 448, 467, 468, 471, 479, 168 IPC read with Section 34 IPC on the file of Piduguralla Police Station, Guntur District, and investigation was taken up. It was stated to be in the context of this investigation that an enquiry was made by the police authorities with regard to the title in respect of the subject land. The Inspector stated that the police were only discharging their legitimate duties but not interfering with any civil disputes.

Though Sri M. Janardhan Rao, learned counsel entered appearance for the fourth respondent, the inter se disputes between the petitioner and the fourth respondent do not arise for adjudication in this writ petition. The only grievance aired by the petitioner before this Court is with regard to the alleged interference by the police in civil disputes. This allegation is shown to be without basis as the police authorities have already registered a crime on the basis of a complaint made by the fourth respondent which was forwarded to them under Section 156(3) Cr.P.C. by the competent criminal Court.

In that view of the matter, the writ petition is disposed of directing the police authorities to abide by the due procedure laid down by law while investigating Crime No.313 of 2015 on the file of Piduguralla Police Station and taking appropriate action in the matter thereafter. Pending miscellaneous petitions shall stand closed. No order as to costs.

SANJAY KUMAR, J

6th APRIL, 2016

PGS