

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 19372 of 2016

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader of Home.

With the consent of both the parties, the writ petition is disposed of at the admission stage.

The grievance of the petitioners is that respondent Nos.1 and 2 are interfering with the civil dispute by calling the petitioners to police station and abusing them in filthy language at instance of respondent Nos.6 and 7.

The averments in the affidavit filed in support of the writ petition would show that the petitioners and their siblings inherited property on the demise of their father. Taking advantage of the old age of the mother of the petitioners, respondent Nos.6 and 7 have obtained her thumb impressions and signatures in blank papers and created registered sale deed document dated 27.07.2007. But, however, the petitioners became absolute owners of the property vide order dated 29.03.2016 in O.S.No.110 of 2012, declaring the sale deed document dated 27.07.2007, as null and void. Subsequently, respondent Nos.6 and 7 along with the police started harassing the petitioners and his family members seeking their dispossession from the property in dispute. The action of police in interfering with the civil dispute without having any jurisdiction and summoning the petitioners to the police station and confining them without following due process of law has lead to filing of the present writ petition.

Though various grounds are raised, learned counsel for the petitioners submits that a direction may be given to the police

authorities to follow due process of law while summoning the petitioners to the police station.

Learned Government Pleader for Home submits that if the investigating agency intends to investigate, they shall do so following due process of law.

Having regard to the submissions made and without going into merits of the case, the present writ petition is disposed of directing the respondent - police authorities to be mindful of the limits of their jurisdiction in criminal law and not to interfere with any civil dispute, except following due process of law.

Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

**JUSTICE C.PRAVEEN
KUMAR**

17.06.2016
vhb