THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37339 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of 3rd respondent asking the petitioner to appear before the police station, as illegal and arbitrary.

Heard and perused the material available on record.

The case of the petitioner is that the petitioner was owning a construction company and that due to various reasons, the petitioner ended in a loss in overall construction and the petitioner is liable to pay an amount of Rs.2,60,000/- to the 4th respondent and that the petitioner has filed an I.P.No.28 of 2016 on the file of the Principal Senior Civil Judge, Ranga Reddy District, at L.B. Nagar, and notices were served to all the parties including the 4th respondent. The grievance of the petitioner is that the 4th respondent made a complaint to the 3rd respondent orally and the 3rd respondent, without registering a case and without any notice to the petitioner, sent a constable on 23.10.2016, who demanded to pay an amount of Rs.2,00,000/- and that the 3rd respondent is compelling the petitioner to attend the police station and also making him to sit in the police station.

Learned Government Pleader for Home informed that the 3rd respondent never called the petitioner to the police station and the allegations made by the petitioner are totally false and that the respondent never interfered in the personal affairs of the petitioner and also informed that if a case is registered against the petitioner, they are at liberty to take appropriate action.

Considering the rival submissions, the writ petition is disposed of with the following direction:

The 3rd respondent is directed not to interfere with the affairs of the petitioner and the 4th respondent. However, this order will not stand in the way of the 3rd respondent to register a case, if any complaint is lodged against the petitioner for cognizable offence.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 2nd November, 2016

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