

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 20385 of 2012

Order:

This Writ Petition was filed for the following relief.

“To declare the action of the respondents 3 and 4 in repeatedly calling the petitioners to the police station of the fourth respondent and insisting them to compromise civil disputes with the fifth respondent on one hand and the petitioners on the other and further insisting the petitioners to vacate from their house property bearing Door No.16-484/8 in Survey No.2/1P, Plot Nos.886 and 887, situated at Chinagadila village and Mandal, Ward No.1, Jaibheemnagar, Arilova, Visakhaaptnam, without there being any authority of law, as illegal, irregular, irrational, without jurisdiction and violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents not to interfere in any manner with civil disputes connected to the petitioners properties and their personal liberty.”

2. A counter affidavit is filed by the fourth respondent stating as follows.

“I submit that the allegation of the petitioner that the 5th respondent approached the respondents 3 and 4 herein by using his influence, for which the respondents 3 and 4 have been repeatedly calling him to the police station and insisting him to settle the dispute by withdrawing the suit against the 5th respondent herein is absolutely false, baseless and hence the same is denied. The allegation of the petitioner that the respondent police insisting him to vacate the subject property in question and asked him to deliver it to the 5th respondent or else, the respondent police would implicate him in false cases is utterly false and hence the same is denied.

I humbly submit that the respondent police never interfered with the civil disputes much less the dispute of the petitioner herein. I submit that to prevent the police from taking any action if any one lodges complaint against them, the petitioner rushed to this Hon'ble Court and filed the present writ petition with baseless allegations.

It is pertinent to note that one Smt. Mugada Lakshmi and another filed a WP No.21933 of 2012 before this Hon'ble Court with regard to the subject property of the petitioners herein.

Basing on the instructions filed by the respondent police, this Hon'ble Court dismissed the said writ petition by its order dated 01.08.2012. Again, the present writ petition is filed with the same plea. I humbly submit that this respondent police never insisted the petitioners to compromise the matter with the 5th respondent nor insisted them to vacate the subject property in question at no point of time. Due to having grudge against the 5th respondent, the petitioners made baseless allegations against the respondents 3 and 4 herein. Hence, the writ petition is devoid of any merits."

3. In view of the above averments made by the fourth respondent, recording their statement, this Writ Petition is closed. There shall be no order as to costs.

4. As a sequel thereto, the miscellaneous applications, if any, pending in this Writ Petition shall stand closed.

A.
Date: 04.04.2016
Nsr

RAMALINGESWARA RAO, J