

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.39235 of 2015

ORDER:

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

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or direction more particularly a Writ in the nature of Mandamus declaring the action of the respondents particularly the 4th respondent in interfering with civil dispute of extent of Ac 1-40 cents in R.S. No. 45/5, an extent Ac. 0-22 cents in R.S. No. 48/4, an extent of Ac. 0-30 cents in R.S. No. 43/2, an extent of Ac. 1-00 cents in R.S. No. 48/5 in Total an extent Ac. 2-92 cents situated in Kondukuduru Village, Inavilli Mandal, East Godavari District by insisting the petitioner to execute a Regular Sale Deed in favour the 5th respondent wife as illegal, arbitrary, and violation of principal of natural justice and violation fundamental rights under the Constitution India and consequently direct the respondents particularly 4th respondent not interfere with Civil Dispute of land relating to the petitioner and pass order or orders as this Hon'ble Court may deem fit in the circumstances of the case.”

The Sub-Inspector of Police, Inavilli Police Station, East Godavari District, filed a counter-affidavit, wherein he stated as follows:

“It is respectfully submitted that the contention of the petitioner that the 4th respondent interfered with the civil dispute between the petitioner and the 5th respondent with regard to the lands of extent of Ac.1.40 cents in RS.No.45/5, an extent Ac.0.22 cents in R.S.No.48/4, an extent of Ac.0.30 cents in RS.No.43/2, an extent of Ac.1.00 cents in RS.No.48/5, total extent Ac.2.92 cents, situated at Kondukuduru Village, Inavilli Mandal, East Godavari District and also insisted the petitioner to execute a regular sale deed in favour of the 5th respondent wife is false, hence denied. It is submitted that this respondent never interfered with the civil dispute as alleged by the petitioner herein.”

In the light of the afore-stated un rebutted averments made by the

police authorities, which are duly taken on record, no adjudication is warranted on merits.

Sri G. Simhadri, learned counsel for the petitioner, is also agreeable to the closure of the writ petition recording the stand of the authorities.

The writ petition is accordingly closed. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

JUSTICE SANJAY KUMAR

23rd February, 2016
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