

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

-
WRIT PETITION No.23124 OF 2016
-

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Home. With consent of the counsel appearing for both sides, the present writ petition is disposed of at the admission stage.

2. The present writ petition is filed with the following prayer:

“to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of respondents 3 and 4 in calling the petitioners to the police station and interfering with their life and personal liberty and also interfering into the house property bearing Municipal Door No.18-7-423/B/133, admeasuring about 180 square yards, situated at Talab Katta, Aman Nagar, Hyderabad, and further interfering into civil disputes and pressurizing the petitioners to settle the matter with the 5th respondent by way of withdrawing the complaint and vacate and handover the possession of the subject property to the 5th respondent, is illegal, arbitrary, unjust, unconstitutional and in violation of principles of natural justice, and also in violation of Articles 14,19 and 21 of the Constitution, and consequently direct the respondents 2 to 5 not to interfere with life and personal liberty of the petitioners.”

3. The grievance of the petitioners appears to be that respondents 3 and 4 are illegally and intentionally calling the petitioners to the police station and demanding them to hand over the property in dispute to the 5th respondent herein.

4. Though various grounds are raised in the writ petition, learned counsel for the petitioners restricts his prayer seeking a direction to the respondents-police not to interfere with the

peaceful possession and enjoyment of the petitioners over the property in dispute.

5. Learned Government Pleader for Home submits that allegations made in the writ petition are all false and the respondents will not interfere with the petitioners' property, except following due process of law.

6. Having regard to the above, the Writ Petition is disposed of directing the respondents-police to be mindful of the limits of their jurisdiction in criminal law and not to interfere with the peaceful possession and enjoyment of the petitioners over the property in dispute and any other civil disputes. Needless to mention that the respondents shall follow due process of law while summoning the petitioners to the police station or arresting them in the event of a crime being registered against them.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

-

JUSTICE C. PRAVEEN KUMAR

Date:14.07.2016
INL