

**THE HON'BLE SRI JUSTICE SANJAY KUMAR**

**WRIT PETITION NO.62 OF 2016**

**ORDER**

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

‘To issue a writ or direction or order more in the nature of writ of mandamus declaring action of the respondents 4 and 5 is illegal, contrary to the police code and contrary to the articles 14,21 and 300(A) of constitution of India and consequently to direct the respondents 4 and 5 to desist from the interfering in the civil matters by passing strictures against respondent 4 and 5 against respondent 4 and 5 affecting their career in the department of Police and pass such other order or orders as the Hon'ble court may deem fit and proper in the circumstances of the case and in the interest of justice.’

The Station House Officer, Dhone Rural Police Station, Kurnool District, filed a counter-affidavit denying the allegation of the petitioner that the police authorities interfered in any civil matters or called the petitioner to the police station and abused him in filthy language. According to the Station House Officer, a complaint was lodged by the wife of the sixth respondent against the petitioner herein and his father and on the basis thereof, an enquiry was initiated. It was revealed that both the parties were quarrelling with each other laying claims over the land in Sy.No.205 of Kocheruvu Village, Dhone Mandal, Kurnool District. He further stated that Crime No.239 of 2015 was registered under Section 110(e) Cr.P.C. against the father of the petitioner owing to the law and order problem created by him on 16.11.2015 and he was bound over by the Mandal Executive Magistrate, Dhone. The Station House Officer further stated that there was a civil dispute between the parties and that the police were being unnecessarily involved in this litigation.

Though a reply affidavit was filed by the petitioner seeking to contest the claim of the sixth respondent, this Court is not the proper forum for settlement of the disputes between the petitioner and the sixth

respondent. In so far as the police authorities are concerned, the counter-affidavit indicates that the police have no interest in interfering with the civil litigation between the parties. In the event any criminal case is registered owing to this dispute, the police authorities shall strictly follow the due procedure laid down by law while investigating the same and taking appropriate action thereafter.

The writ petition is accordingly disposed of. Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

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**SANJAY KUMAR, J**

**18<sup>th</sup> APRIL, 2016**

Note: Issue C.C. in three days.  
B/o PGS