

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37381 of 2016

ORDER:

This writ petition is filed seeking to declare the action of the 1st Respondent in calling the petitioner to the Police Station without there being any offence, threatening her to vacate her house site, as illegal and arbitrary and direct the 1st Respondent not to interfere in civil matters and not to interfere with the life and liberty of the petitioner, not to threaten the petitioner and not to dispossess the petitioner without any order or authority to do so in respect of the house site of the petitioner in Sy.No.308 of Gudiselapalli, D.Hirehal Mandal, Anantapur District.

Heard and perused the material available on record.

The learned counsel for the petitioner submits that the petitioner is owner and possessor of the subject house site property and based on the possession of the site for long period, the 2nd Respondent – Tahsildar, after conducting enquiry, has issued a possession certificate vide HSR Dis.No.1414, dated 28-11-2016. It is further submitted that when there was a disturbance from third parties, the petitioner also filed a suit O.S.No.18 of 2011 on the file of the Hon'ble Junior Civil Judge, Rayadurg for permanent injunction against third parties and the Hon'ble Court decreed the suit in favour of the petitioner as her possession was proved. While so, the 1st respondent through its Sub-Inspector of Police, time and again calling the petitioner to the Police

Station and threatening that she should get out of possession of her house site, which is illegal and arbitrary.

Learned Assistant Government Pleader for Home submitted that the respondent-police are not intending to interfere with the civil disputes.

Considering the circumstances of the case, without expressing any opinion on merits, the Writ Petition is disposed of with the following direction:

“The 1st respondent is directed not to interfere with the affairs of the petitioner, more particularly, with her civil disputes. However, this Order will not stand in the way of the 1st respondent to register a case, if any complaint is lodged against the petitioner for cognizable offence.”

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

RAJA ELANGO, J

16th November, 2016

skmr