

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.33222 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue a Writ of Mandamus, to declare the illegal action of the respondents authorities, particularly 3rd respondent to 5th respondent herein calling the petitioner to the 4th respondent Police Station, without there being any registration of crime and threatening the petitioner to settle the civil disputes with the 6th respondent, and 5th respondent herein calling the petitioner to the Police Station and made him to sit in the 4th respondent Station from morning to till late nights on 23rd, 24th September 2016 under the guise of commands/instructions of the 3rd & 4th respondents herein including at the instigation of the 6th respondent herein as illegal, arbitrary and unjust its nothing but abuse of their official power, and violation of Article 19 & 21 of the constitution of India and consequently direct the respondents herein particularly 2nd respondent to 5th respondent herein, not to call the petitioner to the 4th respondent Police Station without registering any crime and not to insist/force the petitioner to settle the civil dispute with 6th respondent herein and pass such order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. Heard and perused the material available on record.
3. The main grievance of the petitioner is that the official respondents are interfering in the civil disputes pending before him and respondent No.6 and harassing him by calling to the police station.

4. Learned Assistant Government Pleader for Home denied the entire allegations and submitted before this Court that the petitioner was never called to the police station by the official respondents and they will not interfere in any of the civil disputes pending before the petitioner and respondent No.6.

5. Considering the facts and circumstances of the case, without expressing any opinion on merits, this Court is of the view that the writ petition can be disposed of with the following direction:

Respondent Nos.2 to 5 are hereby directed not to interfere in any of the civil disputes pending before the petitioner and respondent No.6. At the same time, the present order will not stand in the way of respondent Nos.2 to 5 to proceed with the investigation if any complaint is registered against the petitioner for a cognizable offence.

6. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

20.10.2016
AMD

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AMD