

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 21960 of 2016

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader of Home.

Since this Court is not adjudicating the matter on merits, it may not be necessary to issue notice to the unofficial respondents.

The present writ petition is filed under Article 226 of the Constitution of India, with the following prayer:

‘For the reasons stated in the accompanying affidavit, the petitioner herein prays that this Hon’ble Court may be pleased to issue a writ of mandamus or any other appropriate writ or order or direction declaring the action of the third respondent in repeatedly summoning the petitioner to the police station and interfering in the civil disputes by detaining hours together and harassing mentally and physically to lease out the agricultural lands belonging to the petitioner to third parties as being illegal, arbitrary and contrary to the fundamental rights enshrined in the Constitution of India and consequently direct the third respondent not to summon the petitioner and detain him and interfere with the petitioner’s personal liberty and to pass such other order or orders as this Court may deem fit and proper in the circumstances of the case’.

The grievance of the petitioner is that respondent No.3 is interfering with the civil dispute by calling the petitioner to police station everyday at the instance of the third parties, without sufficient reason.

Though various grounds are raised, learned counsel for the petitioner submits that a direction may be given to the police authorities to follow due process of law while summoning the petitioner to the police station and interfering with any dispute.

Learned Government Pleader for Home submits that if the investigating agency intends to investigate, they shall do so after following due process of law.

Having regard to the submissions made and without going into merits of the case, the present writ petition is disposed of directing the respondent - police authorities to be mindful of the limits of their jurisdiction in criminal law and not to interfere with any civil dispute and not to summon the petitioner, except following due process of law.

Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

**JUSTICE C.PRAVEEN
KUMAR**

08.07.2016
vhb