

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.36962 OF 2015

O R D E R

The prayer in this case is as under:

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents particularly 2nd respondent in preventing the petitioner from raising crops in 50 cents of land in Sy.No.31/A, Siddamurthipalli Village, Kalasapadu Mandal, YSR District, without registering any case or without any authority of law at the instance of 3rd respondent and even in violation of orders in I.A.No.2240/2012 in O.S.No.278/2012 on the file of Junior Civil Judge, Badvel dated 22.09.2014 as illegal, unjust, arbitrary, highhanded, mala fide and without jurisdiction and consequently direct the 2nd respondent not to prevent the petitioner from raising crops in 50 cents of land in Sy.No.31/A, Siddamurthipalli Village, Kalasapadu Mandal, YSR District and pass such other order or orders as this Hon'ble High Court may deem fit and proper in the circumstances of the case.”

The Sub-Inspector of Police, Kalasapadu Police Station, YSR District, filed a counter-affidavit stating that the third respondent had lodged a complaint with the Kalasapadu Police Station claiming to be the owner of the land admeasuring 0.50 cents in Sy.No.31/A of Siddamurthipalli Village, Kalasapadu Mandal, YSR District, and that he had obtained an interim injunction from the competent civil court at Badvel but the petitioner entered into the said land and was trying to raise crops. The Sub-Inspector stated that an entry was made in the General Diary but, after enquiry, the complainant was asked to seek redressal of his grievance before the competent civil court. According to the Sub-Inspector, the petitioner herein secured status quo orders on 22.09.2014 from the learned Junior Civil Judge, Badvel, in I.A.No.2240 of 2012 in O.S.No.278 of 2012. Insofar as the alleged interference by the police authorities is concerned, the

Sub-Inspector stated that the police authorities never prevented the petitioner from raising crops in the subject land and therefore, the question of their interference did not arise. He further stated that as the dispute was the subject matter of civil proceedings before the competent civil court, the respondent police authorities had nothing to do with it. He categorically denied the allegations leveled by the petitioner to the contrary.

The afore-stated stand of the police authorities, as put forth by the Sub-Inspector of Police, Kalasapadu Police Station, is duly taken on record. In the light thereof, no adjudication is warranted in this writ petition, which is accordingly closed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

4th JANUARY, 2016
PGS