

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.41937 of 2016

ORDER:

Petitioner union prays for Mandamus declaring the action of second respondent/Station House Officer, Thulluru Police Station, Guntur District directing members of petitioner union not to enter Lingayapalem reach, Thulluru Mandal, Guntur District or transport sand loaded by members of the union on the road as illegal, arbitrary and unconstitutional.

2. The Assistant Government Pleader (Home) places on record written instructions dated 07.12.2016. The relevant portion reads thus:

“2. It is submitted that all the allegations made by the petitioner in the writ petition against the 2nd respondent police are totally false and baseless. The 2nd respondent police have never directed the members of the petitioner-union not to enter into Lingayapalem Reach, Thulluru Mandal, Guntur District and not to transport the sand loaded by them on the road which connects Reach and main road. The further allegation of the petitioner that the 2nd respondent police under the influence of some influenced persons of the village who are trying to grab the entire reach, preventing the petitioner union members from loading and transporting the sand is absolutely false and baseless. There is no such interference by 2nd respondent police, as alleged in the writ petition and the same is hereby specifically denied.

3. It is submitted that the petitioner without citing any incident, raised all vague and baseless allegations in the writ petition against the 2nd respondent police. Therefore, the present writ petition is not maintainable.

In view of the facts stated above, there is no merit or substance in the writ petition and the same is liable to be dismissed against the 2nd respondent herein.”

3. Learned counsel for petitioner requests the Court to place the instructions on record and close the writ petition as no further order is necessary.

The statements are placed on record. The writ petition is closed as no further order is necessary. As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

December 8, 2016
DSK

S. V. BHATT, J

