

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39381 OF 2016

ORDER:

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

“to issue a writ, order or direction more particularly, one in the nature of writ of Mandamus declaring the action of the respondent nos.1 to 3 in interfering with the personal liberty of the petitioner in calling to police station often and harassing the petitioner, is illegal, arbitrary, violative of Art 21 of the Constitution of India and consequently to direct the respondent nos.1 to 3 not to interfere with personal liberty of the petitioner by calling to the police station often in the civil dispute and directing the petitioner to hand over the possession to respondent 4 to 6 of plaint A Schedule property relating to suit OS No: 149 / 2008 on the file of Principal Senior Civil Judge court at Srikakulam in an extent of Ac 6.35 cents in Sy No: 184: 18/3: 27/6 168/4 50/11: 73/2 in Meghavaram Village of Santhabommali Mandal and to pass such other 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. Learned Assistant Government Pleader for Home denied the entire allegations and submitted before this Court that some other cases were registered against the petitioner and respondent Nos.4 to 6 and the petitioner was called to the police station only in connection with those cases for the purpose of investigation and respondent Nos.1 to 3 are not interfering with any of the civil disputes pending between the petitioner and respondent Nos.4 to 6.

4. Considering the rival contentions of both parties, this Court is of the view that the writ petition can be disposed of with the following direction:

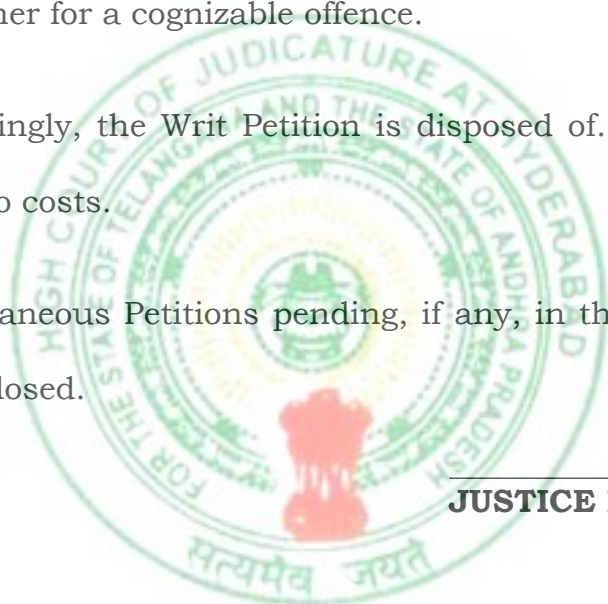
Respondent Nos.1 to 3 are hereby directed not to interfere in any of the civil disputes pending before the petitioner and respondent Nos.4 to 6. At the same time, the present order will not stand in the way of respondent Nos.1 to 3 to proceed with the investigation if any complaint is registered against the petitioner for a cognizable offence.

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

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

22.12.2016
AMD

JUSTICE RAJA ELANGO



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Date: 22.12.2016

AMD