

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35189 OF 2016

ORDER:

The writ petition is filed by the petitioners seeking a writ of mandamus declaring the high handed action of the fourth respondent in interfering with the personal life and liberty of the petitioners by calling them to the police station daily at the instance of the respondents 7 and 8 and insisting the petitioners to vacate the house bearing D.No.26/923-15/3, Mittamadi Street, Proddatur Town, YSR District and handover the possession of the same to the respondents 7 and 8 under the threat of registration of false criminal cases against the petitioners while a civil suit being O.S.No.28 of 2016 on the file of the II Additional District Judge, Proddatur against the respondents 5 to 8 for the same house property is pending adjudication, as arbitrary and illegal and consequently, to direct the fourth respondent not to call the petitioners to the police station and insist the petitioners to vacate the house mentioned above.

Heard and perused the material.

Learned counsel for the petitioners submits that the fourth respondent is calling the petitioners to the police station daily and insisting them to vacate the house stated above and handover the possession to the respondents 5 to 8 and as such, the fourth respondent is interfering with the civil disputes between the petitioners and the respondents 5 to 8. He further submits that a civil suit being O.S.No.28 of 2016 is pending adjudication between the petitioners and the respondents 5 to 8 and hence, he seeks a direction to the fourth respondent not to interfere with the civil disputes between the petitioners and the respondents 5 to 8.

Learned Assistant Government Pleader for Home (Andhra Pradesh) submits that the fourth respondent is not interfering with the affairs of the petitioners and the respondents 5 to 8, and that they are not

calling the petitioners to the police station and they are not forcing the petitioners to vacate the house stated above.

Considering the rival submissions made by both the counsel, the writ petition is disposed of with a direction to the fourth respondent not to interfere in the civil disputes between the petitioners and the respondents 5 to 8. The fourth respondent is further directed to follow the due process of law laid down in Code of Criminal Procedure.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

26.10.2016
pln

JUSTICE RAJA ELANGO

