

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38167 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the 3rd respondent in calling the petitioner and her family members to the police station, without being involvement of the petitioner or her family members in any type of illegal activities or crimes, as illegal and arbitrary and consequently direct the respondent authorities not to call the petitioner and her family members to the police station and not to harass them in their house bearing H.No.7-27/1, Erragunta, Tayyaba Colony, Pahadi Shareef Road, Ranga Reddy District, Hyderabad.

Heard and perused the material available on record.

The grievance of the petitioner is that her younger son by name Mohammed Pasha is having family disputes with his former wife i.e., 4th respondent and that on 18.10.2016, the police constables of the 3rd respondent came to the house of the petitioner and asked about the whereabouts of her son and told that they are having a warrant of arrest in the maintenance case filed by the 4th respondent with them and when the petitioner informed them about the separate living of her son from her house along with his children and they are not concerned with the affairs of the 4th respondent with her son, the petitioner and her family members are being harassed by the police personnel and they are asking them to come to the police station.

Learned Assistant Government Pleader for Home informed that the petitioner's son is liable to pay arrears of maintenance for a sum of Rs.5,90,000/- as per the orders, dated 09.09.2016, passed by the Judge, Family Court, Ranga Reddy District, in CrI.M.P.No.186 of 2015 in M.C.No.98 of 2012. Hence, the Family Court Judge issued warrant

directing the police to take immediate action and also addressed a letter to the Station House Officer vide Lr.Dis.No.883/2016/MC, dated 29.09.2016, for execution of the warrant and report compliance on or before 09.10.2016. In obedience to the said letter addressed by the learned Judge, in order to execute the warrant, the 3rd respondent made visits to the petitioner's house and that the petitioner knowing fully well that the police are trying to execute the warrant against her son, filed the present writ petition making false and baseless allegations against the police alleging that the police are calling them to the police station and also harassing them.

Considering the said facts and circumstances, the Court is of the view that the instructions furnished by the learned Assistant Government Pleader for Home clearly indicates the fact that the 3rd respondent police visited the house of the petitioner only with an intention to execute the warrant issued by the Court against the petitioner's son. Hence, no orders are required to be passed in this case and the writ petition is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 16th November, 2016

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