

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41666 OF 2016

ORDER:

The present writ petition is filed seeking to declare the action of the 3rd respondent in calling the petitioners to the police station at the behest of the 4th respondent and threatening to settle the land dispute and thereby causing interference in the civil disputes without any authority or jurisdiction, as illegal and arbitrary and consequently, direct the 2nd respondent to take action against the 3rd respondent in interfering with the civil disputes.

Heard and perused the material available on record.

The case in brief is that the father-in-law of the 1st petitioner executed a gift deed in favour of the 1st petitioner bequeathing a part of house bearing No.1-163 admeasuring 45.69 sq.yds., at Bheemaram village, Warangal District, in the year 2005 and since then the petitioners are in peaceful possession and enjoyment of the same. While so, the 4th respondent, who is a relative of the petitioners, started claiming right over the said property and filed a private complaint with false allegation against the petitioners, and the same was referred to the police for investigation. After due investigation, the police filed final report as 'false'. Now, the 4th respondent again started interfering with the possession of the petitioners over the said property and instigating the 3rd respondent to call the petitioners to the police station and insisting them to settle the matter with the 4th respondent. The 3rd respondent, at the instigation of the 4th respondent, is interfering with the civil disputes and calling the petitioners to the police station without there being any complaint against the petitioners.

Learned Assistant Government Pleader for Home submitted that the respondent police are not intending to interfere with the civil disputes.

Considering the circumstances of the case, without expressing any opinion on merits, the Writ Petition is disposed of with the following direction:

“The 3rd respondent is directed not to interfere with the affairs of the petitioners and the 4th respondent, more particularly, with the civil disputes pending between them and also not to call the petitioners to the police station. However, this order will not stand in the way of the 3rd respondent to register a case, if any complaint is lodged against the petitioners for cognizable offence.”

There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

December 01, 2016
KTL

RAJA ELANGO, J

