

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.34314 of 2016

ORDER:

1. This writ petition is filed seeking to declare the action of the 2nd respondent in summoning and calling the petitioner to the Police Station, Vemulawada Town, Vemulawada, Karimnagar District, without due process of law and without there being any case against the petitioner, as illegal and arbitrary.

2. Heard and perused the material available on record.

3. The grievance of the petitioner is that he filed a civil suit viz., O.S.No.1 of 2008 on the file of the Junior Civil Judge, Vemulawada for partition and separate possession of the plaint A and B schedule properties, situated at Vemulawada in Karimnagar District against the 3rd respondent and others. As the said suit was decreed in favour of the petitioner, the 3rd respondent approached the 2nd respondent to pressurize the petitioner to allow the 3rd respondent to construct a house in the plaint B schedule property. At his instance, the 2nd respondent has been calling the petitioner to the police station from time to time and he is interfering with the civil disputes between the petitioner and the 3rd respondent.

4. Learned Assistant Government Pleader for Home submitted that the 2nd respondent is not intending to interfere with the civil disputes.

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

“The 2nd respondent is directed not to interfere with the affairs of the petitioner and the 3rd respondent, more

particularly, with the civil disputes pending between them.

However, this Order will not stand in the way of the 2nd respondent to register a case, if any complaint is lodged against the petitioner for cognizable offence.”

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

RAJA ELANGO, J

Date: 17th October, 2016

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