

THE HON'BLE SRI JUSTICE SANJAY KUMAR

-
WRIT PETITION No. 1082 OF 2016

ORDER

The prayer of the petitioner in this case is as under:

“to issue an appropriate writ of mandamus declaring the action of the respondents particularly 3rd respondent herein calling to his office, interfering with life and liberty of the petitioners and threatening the petitioners to settle the cases between the petitioners and the 4th respondent and her family members herein as illegal, arbitrary, unconstitutional and consequently direct the respondents particularly 3rd respondent not to harass the petitioners in any manner and not to call them to the police station, not to interfere with the life and liberty of the petitioners in any manner without following due process of law and be pleased to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and in the interest of the justice.”

The Assistant Commissioner of Police, SC and ST Cell, Vijayawada City, filed a counter affidavit denying the allegations levelled by the petitioners. According to him, the fourth respondent submitted a complaint to the Central Complaint Cell at the Office of the Commissioner of Police, Vijayawada, in December, 2015 and basing thereon, the Sub Inspector of Police, Police Commissionerate, Vijayawada, enquired into the matter in detail and the complaint was forwarded to the Pre-litigation Counseling Forum at the Sub Collector's Office at Vijayawada. The Forum was stated to have closed the said complaint. The Assistant Commissioner denied the contention of the petitioner that the police authorities harassed the petitioners or called them to their office for settling cases.

In the light of the aforesaid counter affidavit averments, which are duly taken on record, no adjudication is warranted on merits in this case. In the event any action is required to be taken upon the complaint made against the petitioners, the police authorities necessarily have to abide by the due procedure laid down by law.

Making this clear, the Writ Petition is closed.

Pending Miscellaneous Petitions shall also stand closed. No order as to costs.

Date: 26.02.2016
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SANJAY KUMAR, J