

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38584 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to declare the high handed action of respondent No.3 in interfering with the life, personal liberty and property of the petitioners as well as the family disputes of petitioner No.1 and his wife and forcing the petitioners to register house property bearing municipal No.5-2-33/1 admeasuring 110 sq. yards situated at Ramalayam Road, Kukatpally, Hyderabad in favour of respondent No.4 and also threatening them to implicate in false criminal cases under the instigation of respondent No.4 and further, forcing petitioner No.1 to sign on the divorce papers as highly illegal and arbitrary and consequently, direct the respondents not to interfere with the life, personal liberty and property of the petitioners as well as the family disputes of petitioner No.1 and his wife.

2. Heard and perused the material available on record.
3. Case of the petitioners is that the marriage of petitioner No.1 and respondent No.4 was performed on 8.2.2015 and later, some disputes arose between them for which, respondent No.4 reported the matter to respondent No.3; that on 7.11.2015, petitioner No.1 and respondent No.4 and their parents entered into a mutual understanding before the family members and well wishers declaring that either of the family members should not interfere with the family affairs of petitioner No.1 and respondent No.4 and that they should put up a separate family; that they lived

happily for sometime, but later, respondent No.4 started harassing petitioner No.1 and his family members and threatened to file cases against him and his family members unless they register the house property bearing municipal No.5-2-33/1 admeasuring 110 sq. yards situated at Ramalayam road, Kukatpally, Hyderabad in her name; that later, she left the company of petitioner No.1 and approached respondent No.3 once again complaining against the petitioners for which, respondent No.3 started interfering with the life, personal liberty and property of the petitioners as well as the family disputes of petitioner No.1 and his wife and forcing them to register the aforementioned house property in favour of respondent No.4 and also forcing petitioner No.1 to sign on divorce papers.

4. Learned Assistant Government Pleader for Home denied the entire allegations and submitted that respondent No.3 is not interfering with the personal life and liberty of the petitioners.

5. Considering the facts and circumstances of the case and the grievance of the petitioners, without expressing any opinion on merits, this writ petition can be disposed of with the following direction:

Respondent No.3 is hereby directed not to interfere with the personal life and liberty of the petitioners and he shall also not interfere with the properties of the petitioners and shall not harass them more particularly, without there being any crime registered against them. However, this order will not stand in the way of respondent No.3 to register a case

if any complaint is lodged against the petitioners for a cognizable offence.

6. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

9.11.2016
AMD/KTL



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