

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 18389 of 2016

ORDER:

Heard.

Since this Court is not entertaining the matter on merits, it may not be necessary to issue notices to the unofficial respondent.

The present writ petition came to be filed seeking issuance of writ of Mandamus declaring the action of the 4th respondent in summoning the petitioner to the police station without any case being registered, making her sit for hours together and also calling upon her to compromise with a person by name Bandi Rajubabu @ Rajesh, thus seeking to convert a dispute of civil nature into that of a criminal case and further warning the petitioner stating that if she fails to pay money as demanded by the said Rajesh, her passport would be seized thereby preventing her from going to Kuwait in connection with her employment, as being arbitrary and illegal and thereby direct the respondents not to summon the petitioner to the police station and harass her.

The averments in the affidavit filed in support of the writ petition would show that the petitioner, who got married to an employee working in Kuwait, helped one Bandi Rajubabu @ Rajesh, who is her distant relative, for getting employment in Kuwait at the instance of her husband. Accordingly the said Rajesh got employed as worker in a private company. Unable to bear the hard conditions in Kuwait, the said Rajesh left his job and came to India during October, 2015. When the petitioner came to India, the said Rajesh approached her and claimed for compensation stating that she is responsible for his hardship in Kuwait. Subsequently, the said Rajesh gave a written complaint before the third respondent with

false allegations against the petitioner. It is averred that the third respondent colluded with the said Rajesh and started harassing the petitioner by summoning her to the police station every day. Hence the present writ petition.

Though various grounds are raised, the learned counsel for the petitioner restricts his prayer seeking a direction to the respondent – police not to harass the petitioner by summoning her to the police station without following due process of law.

Without going into merits of the case and having regard to the facts indicated above, the writ petition is disposed of directing the respondent-police not to summon the petitioner to the police station, without there being any FIR registered. If the presence of the petitioner is required in the police station for any other purpose, the same shall be dealt with only in accordance with law.

Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE C. PRAVEEN KUMAR

10.06.2016,
vhb