

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 42008 of 2015

ORDER:

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

“This Hon'ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus to declare the action of the respondent No.1,4, 5 and 6 in interfering in civil dispute pending between the petitioner and the 7th respondent and by summoning the petitioner to the police station without following due process of law and threatening to implicate in the false criminal cases and thereafter harass the petitioner as arbitrary, illegal and violation of Article 21 of Constitution of India and consequently direct the respondents not to interfere with civil dispute pending between the petitioner and the 7th respondent and not to force the petitioner to cancel the registered mortgage deed, dt.22-11-2010 and withdraw the Crime No.193/2015 on the file of the 1st respondent police station registered against the 7th respondent and others in the interest of justice.”

2. By order dated 23.12.2015, this Court directed that the police authorities shall be conscious of their powers in the context of any criminal investigation under the provisions of the Code of Criminal Procedure, 1973, and further directed that they should not subject the petitioner to any harassment or interference in connection with his civil dispute with the seventh respondent.

3. The Sub-Divisional Police Officer, Allagadda, Krishna District, filed a counter affidavit stating that as per the records of the Allagadda Town Police Station, no complaint had been received from the seventh respondent. He further denied the allegation of the petitioner that the police authorities went to his house and directed him to settle the dispute with the seventh respondent. According to the counter the petitioner lodged a private complaint before the learned Judicial Magistrate of First Class, Allagadda, which led to the registration of Crime No.193 under Section 420 IPC against the seventh respondent and another on the file of Allagadda Town Police Station and investigation was taken up in the said case. The allegations made by the petitioner to the effect that the police authorities were harassing, threatening and interfering with the petitioner in the context of the civil dispute was

denied.

4. In the light of the aforestated unrebutted counter affidavit averments, which are duly taken on record, no adjudication is called for in this writ petition.

The writ petition is accordingly closed. Pending miscellaneous petitions, if any, shall also stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

January 25, 2016

Lmv