

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 22456 of 2016

ORDER :

The present Writ Petition came to be filed seeking to issue a writ of *mandamus* declaring the action of respondent No.3 in calling the petitioners to police station, without there being any report against them and insisting them to settle the dispute which is subject matter of debtor I.P. No.18 of 2016 on the file of the Senior Civil Judge, Tadepalligudem, as illegal and arbitrary.

2. Heard the learned counsel for the petitioners and the Assistant Government Pleader for Home for the State of Andhra Pradesh appearing for the respondents. At the request of both the counsel, the Writ Petition is being taken up for disposal at the stage of admission.

3. The case of the petitioners is that petitioner no.2 is daughter of petitioner no.1, and both of them filed debtor I.P. No.18 of 2016 on the file of the Senior Civil Judge, Tadepalligudem, wherein summons were served on the creditors, and at the instance of the creditors, respondent No.3 is summoning the petitioners to police station and pressurizing them to settle the matter with the creditors.

4. Learned Assistant Government Pleader appearing for the respondents, on instructions, states that the

allegations made are all false and if the petitioners are to be summoned, the same shall be done in accordance with law. Recording the said statement and having regard to the fact that no crime is pending against the petitioners as on today, the respondents are directed not to summon the petitioners to police station without following due process of law.

5. The Writ Petition is disposed of with the aforesaid direction. Miscellaneous petitions pending, if any, in the Writ Petition shall stand closed in the light of this final order. No order as to costs.

C.PRAVEEN KUMAR, J

12.07.2016

DRK

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