

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38640 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the respondents in calling the petitioner and his family members to the police station everyday and detaining them till evening without involving any criminal case or registering any crime against them as illegal and arbitrary, and consequently, to direct the respondents not to call the petitioner and his family members to the police station.

Heard and perused the material.

Learned counsel for the petitioner submits that without therebeing any complaint is registered against the petitioner and his family members, the third respondent is calling them to the police station and detaining them till evening. He further submits that the petitioners have not committed any offence and as such, seeks a direction to the third respondent not to interfere with the affairs of the petitioner and his family members.

Learned Assistant Government Pleader for Home (Andhra Pradesh) submits that the third respondent is not interfering with the affairs of the petitioner and he will follow due process of law.

Considering the rival submissions made by both the counsel, the writ petition is disposed of with a direction to the third respondent not to call the petitioner and his family members to the police station and detain them till evening. The third respondent is further directed to follow due process of law laid down in Code of Criminal Procedure.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

10.11.2016
pln