

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 20893 of 2016

ORDER :

This Writ Petition came to be filed with the following prayer:

“...to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the high handed action of the respondent No.3 & 4 in interfering with the personal life and liberty of the petitioner and also insisting the petitioner to get settle the business disputes with the respondents No.5 to 10 forthwith under the threat of registration of criminal cases against the petitioner and also calling the petitioner to Police Station of the respondent No.4 and making the petitioner sit in his Police Station without any cause as arbitrary, illegal, colorable exercise of power and violative of the fundamental rights guaranteed to the petitioner under Articles 14, 19 and 21 of the Constitution of India and consequently direct the respondents No.3 & 4 not to call the petitioner to the Police Station of the respondent No.4 and also not to insist the petitioner to get settle the alleged disputes with the respondents No.5 to 10 and pass...”

2. Heard the learned counsel for the petitioner and the Assistant Government Pleader for Home for the State of Andhra Pradesh appearing for respondents 1 to 4. At the request of both the counsel, the Writ Petition itself is taken up for disposal at the stage of admission. Since this Court is not deciding the case on merits, it may not be necessary to hear unofficial respondent Nos.5 to 10.

3. The averments in the affidavit filed in support of the

Writ Petition would go to show that the petitioner and respondents 5 and 6 used to do real estate business during 2008-2009. When the real estate business was in slump after 2009, the petitioner retained the land which they purchased as a part of real estate business. He also sold his ancestral and self-acquired properties to discharge the debts. After bifurcation of combined State of Andhra Pradesh, there was appreciation in the lands retained by the petitioner with his own funds. Respondents 5 and 6 started making claim over the properties at the instance of respondents 3 and 4 by summoning the petitioner to police station and pressurizing him to settle the matter with them.

4. Learned Assistant Government Pleader appearing for respondents 1 to 5, on instructions, stated that the allegations made against respondents 1 to 4 are false and that the petitioner shall not be summoned to police station without following due process of law. Recording the said statement and having regard to the fact that no crime is pending against the petitioner as on today, the respondents 3 and 4 are directed not to summon the petitioner to police station except in accordance with the procedure established by 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

28.06.2016

DRK

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