

**THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR**

**WRIT PETITION No. 21693 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 action of 3<sup>rd</sup> respondent in interfering with the civil disputes inspite of the pendency of the civil suit in O.S. No.86 of 2016 on the file of the Principal Junior Civil Judge, Nidadavole and threatening to vacate the suit schedule property, as illegal, irregular, arbitrary, amounts to interfering into the personal life and liberty of the petitioner without following due process of Law and also is in violation of the provisions of the Criminal Procedure Code and offends Articles 14 and 21 of the Constitution of India and consequently direct the third respondent not to interfere into civil disputes.”

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 3. At their request, the Writ Petition is taken up for disposal at the admission stage. Since this Court is not adjudicating the case on merits, it may not be necessary to hear respondents 4 and 5.

3. The case of the petitioner is that he filed Original Suit No.86 of 2016 on the file of the Principal Junior Civil Judge, Nidadavole against respondents 4 and 5 for

permanent injunction restraining them from interfering with his peaceful possession and enjoyment over an extent of 308 square yards of vacant site situated in R.S. No.89/3 of Nandigampadu Grampanchayat, Chagallu Mandal. It is averred that during the pendency of the said suit, respondent No.3, at the instance of respondents 4 and 5, started interfering with the dispute, insisting the petitioner to withdraw the suit and hand over the property to respondents 4 and 5.

4. Learned Assistant Government Pleader, on instructions, states that the allegations made in the Writ Petition are false and any act done by the police would be in accordance with law.

5. Recording the said statement, the Writ Petition is disposed of making it clear that any action taken by the police shall be in accordance with law. Miscellaneous petitions pending, if any, in the Writ Petition shall stand closed in the light of this final order. No order as to costs.

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**C.PRAVEEN KUMAR, J**

**05.07.2016**  
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