

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41592 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the second respondent in involving civil disputes and obtaining undertakings for not to complete the construction work of the dwelling house situated at Pydipala Village, Makavarapalem Mandal, Visakhapatnam District, by detaining the petitioner in police station at the instance of the third respondent as illegal and arbitrary and consequently to direct the second respondent not to interfere in the civil disputes of the petitioner.

Heard and perused the material.

Learned counsel for the petitioner submits that the second respondent is interfering in the construction work of the dwelling house of the petitioner at the instance of the third respondent and also obtaining undertaking forcibly for not to complete the construction work and as such, he prays this Court to direct the second respondent not to interfere in the affairs of the petitioner.

Learned Assistant Government Pleader for Home (Andhra Pradesh) submits that the second respondent is not interfering with the construction work of the petitioner.

Considering the rival submissions of the learned counsel for the petitioner and the Assistant Government Pleader for Home (Andhra Pradesh), and also considering the facts and circumstances of the case, the second respondent is directed not to involve in civil disputes between the petitioner and the third respondent and also not to involve the construction work of the petitioner and not to call the petitioner to the police station, without therebeing any complaint registered against the

petitioner. The second respondent is also 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

30.11.2016
pln

