

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 17496 of 2016

ORDER :

This Writ Petition is filed seeking to declare the action of respondent Nos.2 and 3 in interfering with civil dispute between the petitioners and the respondents 4 to 6, 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 respondents 1 to 3. At the request of both the counsel, the Writ Petition itself is taken up for disposal at the stage of admission.

3. The case of the petitioners is that there exists a civil dispute between them and the respondents 4 to 6 which is subject matter of Original Suit No.34 of 2015 on the file of the Senior Civil Judge, Narsimapatnam filed by the petitioners against the respondents 4 to 6 wherein interim order of *status quo* was granted. It is their case that in the months of March and May, 2016, respondents 4 to 6 cut and carried away casurina tope worth Rs.50,00,000/- and ploughed the lands with the support of respondents 2 and 3.

4. Though various grounds are urged, counsel for the petitioners seeks direction to the official respondents to

restrain themselves from interfering with civil rights of the parties which are being agitated before the civil court in Original Suit No.34 of 2015 on the file of the Senior Civil Judge, Narsimpatnam. The learned Assistant Government Pleader, on instructions, submits that respondent Nos. 2 and 3 are not interfering with the civil dispute and the allegations made are all false.

5. It is settled position that the police authorities are not entitled to interfere in any civil dispute and they shall be conscious of their powers in the context of any criminal investigation under the provisions of the Code of Criminal Procedure, 1973. Having regard to the circumstances of the case, the respondents 1 to 3 shall not subject the petitioners to any harassment or interfere with the civil disputes with the unofficial respondents. It is made clear that any action by the respondents 1 to 3 shall only be in accordance with law. Since this Court is not going into merits of the case, it may not be necessary to issue notice to respondent Nos.4 to 6.

6. With the above direction, the Writ Petition is disposed. 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

06.06.2016

DRK

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