

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.33819 OF 2016

ORDER:

This writ petition is filed seeking to issue a writ or order more particularly, one in the nature of writ of *mandamus* to declare the action of respondent No.1 in interfering in the civil dispute in respect of an agricultural land admeasuring Ac.2.24 guntas situated in Sy.No.430/part, Dammaiguda Village, Keesara Mandal, Ranga Reddy District, which is schedule property in O.S.No.455 of 2004 on the file of the VI Senior Civil Judge (Fast Track Court), Ranga Reddy District at Medchal, as illegal and arbitrary and consequently, to direct respondent No.1 not to interfere in the civil disputes pending between the petitioners and respondent No.5 in the said suit without following the due process of law.

2. Heard and perused the material available on record.
3. Grievance of the petitioners is that basing on a complaint made by respondent No.5 against the petitioners, respondent No.1 registered a case in Crime No.681 of 2016 for the offences punishable under Sections 143, 147, 323, 447, 427 and 506 I.P.C. and under the guise of investigation, respondent No.1 is compelling the petitioners to settle the civil dispute pending between them and respondent No.5.
4. Learned Assistant Government Pleader for Home denied the entire allegations and submitted that after registering Crime No.681 of 2016, respondent No.1 is proceeding only in accordance with law and he never interfered in the settlement of the civil disputes between the petitioners and respondent No.5. He also

submitted that respondent No.1 will not interfere in the civil disputes pending before the petitioners and respondent No.5 and he will not compel the petitioners to settle their civil disputes.

5. Recording the same, this Court is of the view that the writ petition can be disposed of with the following direction:

Respondent No.1 is hereby directed to proceed in accordance with law in Crime No.681 of 2016 and not to interfere in any of the civil disputes pending between the petitioners and respondent No.5. At the same time, the present order will not stand in the way of respondent No.1 to proceed with the investigation if any complaint is registered against the petitioners for a cognizable offence.

6. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

17.10.2016
AMD

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Date: 17.10.2016

AMD