

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.1148 OF 2017

ORDER:

The writ petition is filed seeking a writ of mandamus declaring the action of the second respondent in calling the petitioner and his family members to the police station without therebeing any case registered against them, as illegal and arbitrary, and consequently, to direct the second respondent not to call the petitioner or his family members to the police station or in any manner interfere with their personal life and liberty without registering the crime.

Heard and perused the material.

Learned counsel for the petitioner submits that at the instance of the third respondent, who is the wife of the petitioner, the second respondent is calling the petitioner and his family members to the police station and harassing them with dire consequences. He further submits that no case is registered against the petitioner and his family members, and as such, prays this Court to direct the second respondent not to call the petitioner or his family members to the police station.

Learned Assistant Government Pleader for Home (Telangana) submits that the second respondent is not interfering with the family disputes between the petitioner and the third respondent and that the second respondent is not calling or harassing the petitioner or his family members to come to the police station.

Considering the rival submissions made by both the counsel, the writ petition is disposed of with a direction to the second respondent not to interfere the family disputes between the petitioner and the third respondent, and also with a direction to the second respondent not to

call or harass the petitioner or his family members to come to the police station. It is made clear that if any case is registered against the petitioner or his family members basing on the complaint of the third respondent, the second respondent is directed to issue notice under Section 41-A of the Code of Criminal Procedure and to proceed in accordance with law.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

06.01.2017
pln

