

THE HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.17747 of 2017

ORDER:

Heard both sides. With the consent of both parties the writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed seeking issuance of writ of Mandamus declaring the action of respondent No.3 in threatening the petitioners to settle the civil dispute pending between the petitioners and the persons known to the unofficial respondent, as illegal and arbitrary.

3. The averments in the affidavit filed in support of the writ petition would show that the father of the first petitioner entered into an agreement of sale with one Maddirevula Sudarshan Reddy and Botreddy Ramprasad Reddy of Kadapa District, who initially paid Rs.98,94,000/- towards sale consideration, promising to pay the balance amount on or before 28.12.2012, failing which it was agreed that the amount which was initially paid would be forfeited. Subsequently, the father of the first petitioner died. Thereafter, on 07.08.2012, the said parties paid Rs.25,00,000/-, took extension of time till 28.04.2013 for payment of the balance sale consideration. It is the case of the petitioner that inspite of expiry of the stipulated time, the parties failed to pay the remaining amount which lead to issuance of a legal notice informing about the cancellation of the contract. It is stated that respondent No.3, at the instance of respondent No.4, compelled the petitioners to settle the dispute pending between the petitioners and said Maddirevula Sudarshan Reddy and another (the persons who entered

into another contract with respondent No.4). Aggrieved by the action of respondent No.3, the present writ petition is filed.

4. Though various grounds are raised, learned counsel for the petitioners mainly submits that the respondent police at the instance of unofficial respondent are forcing them to settle the civil disputes pending between the petitioners and the third parties, which is illegal and improper.

5. Learned Government Pleader on telephonic instructions denies the allegations made in the affidavit. According to her, the police are not interfering with the civil disputes which are pending between the petitioners and the third parties.

6. Without going into the merits of the case, having regard to the rival submissions made across the Bar and in view of the absence of any material to show that the respondent police are interfering with the civil disputes pending between the petitioners and the third parties at the instance of respondent No.4, the writ petition is disposed of directing the respondent police not to interfere with the civil disputes between the parties, but if they intend to take action, the same would be in accordance with law. No costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

13.06.2017
vhb