

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.21960 OF 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, came to be filed seeking issuance of a Writ of Mandamus declaring the action of the forth respondent in interfering with the civil disputes, threatening to evict the petitioner from the landed property and also forcing him to settle the civil dispute with unofficial respondents, as illegal and arbitrary.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Home. With their consent, the Writ Petition is disposed of at the stage of admission itself. Since this Court is not going into the merits of the case, there is no necessity to issue notice to unofficial respondents.

The case of the petitioner is that, he has been in joint possession and enjoyment of the lands in survey No.198-1 admeasuring Acs.45-12 cents, survey No.198-3 admeasuring Acs.324-35 cents situated at Hasinpuram H/o.Pandiparthi, Penukonda Taluk and house site situated in Hassinpuram Village admeasuring East to West 15 yards and North to South 20 yards. When the petitioner herein tried to plough his portion of land, the 4th respondent, at the instance of unofficial respondents herein, called the petitioner to Police Station and warned him not to enter into the said land and thereby prevented him from doing agricultural operations in the above-referred lands. Aggrieved by the same, the present Writ Petition is filed.

A reading of the material on record would show that petitioner is in joint possession of the above referred properties, along with

unofficial respondents herein, and there exist some disputes with regard to the joint family properties.

The learned counsel for the petitioner mainly submits that without therebeing any complaint against the petitioner, the respondents-Police are calling the petitioner to Police Station and insisting him to settle the civil disputes with unofficial respondents.

Learned Assistant Government Pleader, on instructions, denies the allegations made in the affidavit filed in support of the Writ Petition and submits that the respondents-Police never interfered with the civil disputes, which are said to be pending between the parties.

Having regard to the rival submissions made, the writ petition is disposed of directing the respondents-Police not to summon the petitioner to Police Station illegally or unauthorizedly. However, if they intend to take any action against the petitioner, they shall follow the procedure established under law.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. No costs.

C. PRAVEEN KUMAR, J

10.07.2017
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