

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.22573 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 third respondent in calling the petitioner to Police Station, interfering with his personal life and liberty and preventing the petitioner from doing agricultural operations in land admeasuring Ac.1-05 guntas in survey No.259/7 situated at Chenur Village and Mandal, Mancherial District, 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.

As seen from the averments made in the affidavit filed in support of the writ petition, the petitioner claims to be absolute owner and possessor of the land admeasuring Acs.5-26 guntas situated in survey No.259/A7 situated at Chenur Village and Mandal, Mancherial District, having bequeathed the same by his father. The petitioner also claims to be in possession and enjoyment of the said property. While so, on 04.07.2017, the personnel of 4th respondent called the petitioner to Police Station on the pretext that some complaints were made by some third parties claiming to be the owners of the above referred lands. Aggrieved by the action of the respondents-Police in calling the petitioner to Police Station, the present Writ Petition is filed.

The learned counsel for the petitioner mainly submits that without any crime being registered against the petitioner, the

respondents-Police are calling the petitioner to Police Station and raising a dispute with regard to the subject property.

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, as alleged by the petitioner.

Having regard to the above, the respondents-Police are directed not to call or summon the petitioner or detain him illegally or unauthorizedly, without following due process of law. If the respondents-Police intend to take any action against the petitioner in respect of the subject property, they shall follow the procedure established under law.

Accordingly, the Writ Petition is disposed of.

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

10.07.2017
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C. PRAVEEN KUMAR, J