

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.7624 OF 2013

ORDER:

The petitioners pray for the following relief:

“...this Hon'ble Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring that the action of the Respondents 1 to 4 in not taking any action against the Respondents 5 to 10, who are committing cognizable offences in unruly manner without there being any manner of right or interest or power or authority and causing heavy loss to the Petitioners properties situated in R.S.No.191/2 of Pangidi area in Pondugala Village, Mylavaram Mandal, Krishna District is illegal, irregular, un-constitutional, against to the provisions of Criminal Procedure Code and against to the articles 14, 19, 21 and 300-A of the Constitution of India and consequently direct the Respondents 1 to 4 to take appropriate action against the Respondents 5 to 10 and pass.....”

The grievance of the petitioners is that the respondents are interfering in civil dispute.

The 4th respondent filed counter affidavit and the relevant portion therein reads thus:

“It is respectfully submitted that, as stated supra, the land in R.S.No.191/2 of Pangidi area in Pondugala Village, Mylavaram Mandal, Krishna District are under dispute between the petitioners herein and the Forest Department, hence protection cannot be provided to the petitioners' land as alleged by them. It is pertinent to mention here that the petitioners herein unnecessarily involving the respondents police into the civil matters”.

Having regard to the facts and circumstances of the case, the writ petition is dismissed by granting liberty to the petitioners to

work out their remedies in a suit filed for comprehensive reliefs.

There shall no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

S.V.BHATT, J

21st November, 2017

Lrkm

