

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.31881 OF 2015

ORDER:

The writ petition is filed seeking a writ of mandamus declaring the action of the second respondent in interfering with the civil disputes between the petitioner and the third respondent and preventing the petitioner from raising the crops in the land to an extent of Acs.4.22 cents in survey No.213 situated at Amadaguntla Village, Kodumur Mandal, Kurnool District, as illegal and arbitrary, and consequently to direct the second respondent not to interfere with the civil disputes between the petitioner and the third respondent.

Heard and perused the material.

Learned counsel for the petitioner submits that there are civil disputes between the petitioner and the third respondent and a civil suit is also pending between them. He further submits that the second respondent, at the instance of the third respondent, is interfering in the civil disputes between the petitioner and the third respondent, and threatening the petitioner with dire consequences and also warning him not to enter into the subject land. Hence, he prays this Court to direct the second respondent not to interfere with the civil dispute between the petitioner and the third respondent.

Learned Assistant Government Pleader for Home (Andhra Pradesh) submits that the petitioner lodged a complaint against the third respondent on the allegation that the third respondent along with his men trespassed into the petitioner's land and threatened him with dire consequences, and that the second respondent, during the course of investigation, arrested the third respondent and after completion of investigation, filed the charge sheet before the competent Court and the case is pending trial. He further submits that the second respondent is not

interfering with any of the civil disputes between the petitioner and the third respondent.

Considering the rival submissions of the learned counsel for the petitioner and the Assistant Government Pleader for Home (Andhra Pradesh), and also considering the facts and circumstances of the case, the second respondent is directed not to interfere with the civil disputes between the petitioner and the third respondent. The second respondent is directed to follow due process of law laid down in Code of Criminal Procedure.

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

02.01.2017
pln



JUSTICE RAJA ELANGO