

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 23995 of 2017

O R D E R:

This writ petition is filed alleging interference of respondent No.3-Station House Officer, Keesara Police Station with the civil disputes between the petitioner and respondent Nos.4 to 6.

To substantiate the case of the petitioner, the learned counsel has placed before this Court the material papers pertaining to O.S.Nos.136 and 588 of 2012 on the file of II Additional District Judge, Ranga Reddy District at LB Nagar, and submits that initially, in O.S.No.136 of 2012, ad-interim injunction was granted in I.A.No.514 of 2012 and the said application came to be closed by the learned District Judge on 07.06.2013, thereby, the injunction order was no longer subsisting. Thereafter, respondent No.4 filed W.P.No.2956 of 2015, without making the petitioner herein as a party, and this Court passed orders, dated 19.02.2015, to consider the representation of respondent No.4 for providing police protection. Under the guise of the said order, without taking into consideration the fact that there was an order of injunction subsisting only for a period of 30 days and the same was not extended and without considering the fact that the I.A. was closed, respondent No.3 is interfering with the civil disputes.

Pursuant to the notice issued by this Court on 20.07.2017, respondent No.4 filed a counter-affidavit stating that this Court passed an order on 19.02.2015 in W.P.No.2956 of 2015 and for

non-implementation of the same, he also filed a contempt case, which is pending. He also asserted that the petitioner approached this Court by making false allegations and in C.C.No.952 of 2012, he was convicted and the same was set aside in appeal *vide* judgment, dated 03.03.2017.

Learned Government Pleader for Home placed before this Court the instructions received from the Inspector of Police, Keesara Police Station, Cyberabad Commissionerate, dated 22.07.2017, and submits that initially, taking into consideration the orders passed by this Court in W.P.2956 of 2015, the police protection was afforded. However, on being informed about ceasing of the interim order, as of date, the Police is not interfering in any manner and directed both the parties to work out their remedies in civil Court.

Having considered the respective submissions and considering the specific assertion of Inspector of Police, Keesara Police Station that he is no longer interfering with the civil disputes and he would abide by the orders of the Court, the writ petition is disposed of making it clear that in the event of Police interfering with the civil disputes, the incumbent Officer shall be personally liable for prosecution both under civil and criminal law.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:03.10.2017
kdl