

THE HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION NO. 19257 of 2017

ORDER :

Heard both sides. With the consent of both parties the writ petition is disposed of at the admission stage.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of respondent Nos. 2 and 3 in interfering with the personal freedom and rights of the petitioner, forcing the petitioner and his mother to pay Rs. 8 lakhs to respondent No.4 and summoning the petitioner to the police station, without registering any crime, as illegal and arbitrary.

It is the case of the petitioner that respondent No.4 entered into development agreement with the petitioner in respect of lands admeasuring 200 square yards and 111 square yards at Market Road, beside Indian Overseas Bank lane and also possessed documents of the said lands. It is stated that the unofficial respondent obtained loan of Rs.2.5 lakhs by pledging the land documents and when she was unable to pay interest, she approached one Reddy of Gollalamamidala Village for a loan of Rs.6 lakhs, for which one Murali Mumidi stood as surety. It is stated that said Reddy gave loan in the form of cheque and a promissory note was also executed. The said Murali took one lakh from the unofficial respondent and Rs.20,000/- was given to the petitioner towards his commission. It is the case of the petitioner that when the unofficial respondent approached the respondent police, they at the instance of unofficial respondent, threatened the

petitioner and her mother with dire consequences, if the loan amount of Rs.6 lakhs is not repaid to said Gollalamamidala Reddy. The action of the respondents lead to filing of the present writ petition.

Though various grounds are raised, learned counsel for the petitioner restricts his prayer seeking a direction to the respondent police not to summon the petitioner to the police station, except in accordance with the procedure of law.

Learned Government Pleader on instructions states that the allegations made in the writ affidavit are false and the respondent police have not summoned the petitioner to the police station.

Recording the rival submissions made, the writ petition is disposed of directing the respondent police not to interfere with the civil dispute pending between the petitioner and unofficial respondent by summoning the petitioner to the police station without following due process of law. It is made clear that any action which respondent Nos.2 and 3 intends to take, shall be in accordance with law. No costs.

Consequently, miscellaneous petitions, if any pending, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

15.06.2017
vnb