

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.24043 OF 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, came to be filed seeking issuance of Writ of Mandamus declaring the action of respondent Nos.3 to 5 in calling the husband of the petitioner to Dharur Police Station and pressurizing him to compromise the civil disputes with R-6 herein, as illegal and arbitrary.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Home for respondents 1 to 5. With their consent, the Writ Petition is disposed of at the stage of admission itself. Since this Court is not going into the merits of the case, there is no necessity to issue notice to 6th respondent.

The case of the petitioner is that some property disputes are pending between the husband of the petitioner and husband of R-6. In that connection, a case in crime No.21 of 2017 was registered for the offences punishable under Sections 420, 447, 341 and 506 of Indian Penal Code against the husband of the petitioner. Challenging the same, the husband of the petitioner filed WP No.15154 of 2017 wherein this Court vide its order dated 26.04.2017 in WPMP No.18729 of 2017, granted interim stay of all further proceedings pursuant to registration of said crime. The grievance of the petitioner is that respondents 3 and 4 are insisting the petitioner and her husband to handover the property to 6th respondent and are interfering with civil disputes which are pending between them.

The learned counsel for the petitioner mainly submits that inspite of stay granted by this Court in WP No.15154 of 2017, the

respondents-Police are calling the husband of the petitioner to Police Station and pressurizing him to settle the disputes with R-6.

Learned Assistant Government Pleader, on instructions, denies the allegations made in the Writ Petition and further states that the respondents-Police never interfered with the civil disputes pending between the parties.

Having regard to the rival submissions made, the Writ Petition is disposed of directing the respondents-Police not to interfere with the civil disputes pending between the petitioner's family and R-6 family. However, if the respondents-Police intend to summon either the petitioner or her husband or take any action against them, they shall follow the procedure established under law. Further, if any crimes are registered against any of the parties, the Police are at liberty to take steps in accordance with law.

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

20.07.2017
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C. PRAVEEN KUMAR, J