

HON'BLE SRI JUSTICE S.V.BHATT

W.P. No.9166 OF 2013

ORDER:

Heard learned counsel for petitioner and the Assistant Government Pleader.

The petitioner prays for the following relief:

“... Writ of MANDAMUS declaring the action of the official respondents of causing illegal and unlawful interference in civil dispute, against the Petitioner as arbitrary, illegal, colourable exercise; of power and violative of fundamental rights guaranteed to petitioners under Articles 14, 19 and 21 of the Constitution of India...”

On 26.03.2013, the Court ordered notice before admission.

The 2nd respondent filed counter affidavit and the operative portion of the counter affidavit reads as follows:

“It is respectfully submitted that on coming to know the approaching of the 4th respondent to the official respondents herein, the petitioner as a precautionary measure and to prevent the police from taking any action in future, rushed to this Hon'ble Court and filed the present writ petition with baseless allegations.

It is submitted that the allegation of the petitioner that at the instance and influence of the respondents 3 and 4 herein, the respondent police are interfering with the day to day affairs of the petitioner and at the instance of the respondent No.3, the local police officials visiting the petitioner's house for enquiry and trying to force the petitioner to act in such a manner so as to help the respondents 3 and 4 herein to resolve the civil dispute is absolutely false, baseless and hence the same is denied.

It is pertinent to submit that as of now, this respondent police of III Town Police Station, did not visit the house of the petitioner nor threatened him as alleged in the affidavit.

It is respectfully submitted that this respondent never interfered with the civil disputes muchless the dispute of the petitioner herein. It is submitted that this respondent as a precautionary measure, the petitioner filed the writ petition with baseless and exaggerated allegations and hence the same are denied. It is submitted that having bore a grudge against the unofficial respondents herein, the petitioner made baseless allegations against the official respondents herein. Hence the writ petition is devoid of any merits.”

The statement is placed on record and the writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

Date:25.04.2017
Sp



S.V.BHATT,J