

The Hon'ble Sri Justice S.V.Bhatt

Writ Petition No.596 of 2012

Order:

Heard Sri O.Manohar Reddy, learned Counsel for the petitioner, and the learned Assistant Government Pleader for Home (AP) representing respondent Nos.1 to 3.

The petitioner prays for a Mandamus declaring the action of respondent Nos.2 and 3 in frequently calling her to Police Station without any crime being registered against her and interfering with her possession in respect of agricultural lands admeasuring Ac.2.42 cents in RS.Nos.14/1, 14/2 and 14/3 and Ac.0.90 cents in RS.Nos.5/1 and 4/1 situated in Kunderu Village, Kankipadu Mandal, Krishna District, as illegal and unconstitutional.

Perused the material available on record.

The petitioner, without any cause of action, has filed the instant Writ Petition on the allegation that she is being called to the Police Station frequently.

The reply of the third respondent reads thus:

“2. It is respectfully submitted that the above Writ Petition has been filed seeking to declare the action of the respondents 2 and 3 in calling the petitioner to the police station and interfering with the possession of petitioner’s property i.e., agricultural land admeasuring an extent of Ac.2.42 cents in R.S.No.14/1, 14/2 and 14/3 and land admeasuring an extent of Ac.0.90 cents in RS.No.5/1 and 4/1 at Kunderu Villagae, Kankipadu Mandal, Krishna District as illegal.

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5. It is respectfully submitted that the allegation of the petitioner that, on the complaint of the 4th respondent, the respondents 2 and 3 has called the petitioner to the police station on 24.12.2011 and 27.12.2011 and asked him to deliver the standing crop to the respondent No.4 is incorrect, baseless and have been created for the purpose of filing the present writ petition.

6. It is respectfully submitted that, on perusal of the affidavit filed by the petitioner, it shows that, the above writ petition has been filed as a precautionary measure, if anybody lodges a complaint against him and to prevent the police from taking any action. As such all the allegations leveled in the affidavit by the petitioner against this respondent are false, incorrect, baseless and has been created for the purpose of filing the present writ petition.”

From the above, it is clear that on an apprehension, the Writ Petition has been filed. This Court does not see any reason to consider the writ prayer.

Hence, the Writ Petition is disposed of by accepting the stand taken by the third respondent in the counter-affidavit.

As a sequel to dismissal of the Writ Petition, WPMP.No.741 of 2012, filed by the petitioner for interim relief, is disposed of as infructuous.

Dt: 27th February, 2017
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(S.V.Bhatt, J)

