

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.22020 of 2017

ORDER:

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

2. This writ petition is filed seeking issuance of writ of mandamus to declare the action of respondent No.3 in directing the petitioner to vacate from the land admeasuring Acs.5.00 in Survey No.149-2A, situated at Chennampalli Village, Bukkarayasamudram Mandal, Ananthapuramu District, as illegal and arbitrary.

3. The averments in the writ affidavit would show that the petitioner is the owner and possessor of the aforementioned property. While so, respondent No.4, by approaching A.P.State Commission for SC/ STs, got issued orders of canceling pattadar passbooks and title deeds granted in favour of the petitioner. But, however, when the same was challenged before this Court vide W.P.No.27605 of 2016, *status quo* orders were passed and the main writ petition is still pending. Further, the *status quo* order was made absolute later. Such being the position, on 30.06.2017, respondent No.3, called the petitioner to the police station and directed him to vacate the subject property, thereby to allow the unofficial respondent to cultivate the said land. It is the case of the petitioner that inspite of showing material evidencing ownership, respondent No.3 has been threatening the petitioner to vacate from the said premises. Hence, the present writ petition.

4. Though various grounds are raised, learned counsel for the petitioner restricts his prayer seeking a direction to the respondent police not to call the petitioner to the police station, without following due process of law.

5. Learned Government Pleader denies the allegations made. But, however, submits that any action sought to be taken by the respondent police would be in accordance with law.

6. Having regard to the above submissions and taking into consideration the earlier orders passed by this Court in W.P.No. 27605 of 2016, the respondent police are directed not to interfere with the personal life and liberty of the petitioner and the civil disputes between the parties, except in accordance with law. But, however, if any case is registered, the respondent police may take action against the parties in accordance with law. No costs.

7. As a sequel thereto, Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

05.07.2017
vnb