

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.20736 OF 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, came to be filed seeking to declare the action of the fourth respondent in interfering with civil disputes and directing the petitioner not to enter into his property admeasuring 120 Sq.yards in survey No.102/2 situated at STV Nagar, Tirupati, which is the subject matter of O.S.No.336 of 2016 on the file of the Additional Senior Civil Judge, Tirupati, as illegal and arbitrary.

Heard the learned counsel for the petitioner and learned Assistant Government Pleader for Home. 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 unofficial respondents.

The learned counsel for the petitioner mainly submits that though the petitioner is in possession of the property, which is the subject matter of dispute in the present writ petition, the respondents-Police, at the instance of unofficial respondents, are threatening the petitioner not to enter into said property and thereby interfering with the civil disputes pending between the petitioner and unofficial respondents.

The learned AGP, on instructions, submits that two crimes were registered by the 4th respondent one at the instance of the petitioner and another at the instance of unofficial respondents. It is further submitted that during the course of investigation, the Police might have visited the subject premises, but at no point of

time they interfered with the civil disputes pending between the parties.

Recording the said submissions, the Writ Petition is disposed of, directing the respondents-Police not to interfere with the civil disputes, which are pending between the petitioner and the unofficial respondents. However, if the respondents-Police intend to take any action in connection with the crimes registered at the instance of the petitioner and unofficial respondents, the same shall be in accordance with the procedure established under law. It is needless to mention that the 4th respondent shall investigate both the crimes and file final report, at the earliest.

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

30.06.2017
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C. PRAVEEN KUMAR, J

