

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.11038 OF 2011

ORDER:

This petition is filed for a writ of *Mandamus* declaring the action of the respondents 4 and 6 in collusion with the 7th respondent and interfering with the civil rights of the parties and consequently harassing the petitioners without following the due process of law and without acting upon the complaints given by the petitioners, as illegal and arbitrary and for a consequential direction to the respondents 2 to 7 not to interfere with the respective properties of the petitioners i.e. Ac.0.30 cents in R.S.No.81/3 and Ac.0.30 cents in R.S.No.87/2 of Avidi Village, without following due process of law.

The 4th respondent filed counter affidavit stating that on the private complaint of the 1st petitioner a case in Crime No.154/2010 was registered and the same was referred as 'Civil in nature' on 28.04.2011 before the concerned Court; that on the private complaint of the 7th respondent a case in Crime No.155/2010 was registered against the 1st petitioner and others and that on 15.06.2013, both parties compromised before the Lok Adalath. It is also stated that on the complaint of the 7th respondent a case in Crime

No.186/2010 was registered against the 1st petitioner and others on 06.11.2010 and that on 15.06.2013 both parties compromised before the Lok Adalath. It is also stated that on the complaint of the 7th respondent a case in Crime No.21/11 was registered on 06.02.2011 against the 2nd petitioner and others and the same was referred as 'false' on 22.06.2012 before the concerned Court. It is further stated that the 2nd petitioner had lodged a complaint against the 7th respondent and others and the same was registered as Cr.No.21/2011 on 15.02.2011 and that the same was referred as 'mistake of facts' on 31.05.2011 before the concerned Court. It is further submitted that the respondent police registered and investigated cases only basing on the complaints given by both the parties; but, it does not mean harassment and interference of the respondent police and that the respondent police carried out criminal act of the accused persons and as such, the writ petition is not maintainable and liable to be dismissed.

No reply affidavit is filed by the petitioners.

In the counter affidavit the allegation of the petitioners that the respondent police in collusion with the 6th respondent harassed and interfered with the civil rights of the parties was specifically denied. In view of the same and in

view of the fact that the complaints lodged by the petitioners against 7th respondent have already been investigated into and referred as 'civil in nature' and 'mistake of facts' by the police and since the criminal proceedings initiated by the 7th respondent against the petitioners were compromised before the Lok Adalat, nothing survives for adjudication in the writ petition.

Accordingly, the writ petition is closed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

06.06.2017
t k.

A.RAJASHEKER REDDY, J

