

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44288 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to declare the action of respondent No.4 in threatening the petitioner with dire consequences and forcing him to pay Rs.5 lakhs to respondent No.5 and heed to their terms, otherwise threatening him and his family members saying that they will be implicated in criminal cases as illegal and arbitrary and consequently, direct the respondents not to interfere with petitioner's right to life and personal liberty in any manner including calling him to police station and forcing him to pay Rs.5 lakhs etc., without following the due process of law.

2. Heard and perused the material available on record.
3. Learned Assistant Government Pleader for Home denied the entire allegations and submitted before this Court that the petitioner was never called to the police station by respondent No.4 and he never forced the petitioner to pay Rs.5,00,000/- to respondent No.5 and that respondent No.4 will not interfere in any of the disputes pending between the petitioner and respondent No.5.
4. Considering the rival contentions of both parties, this Court is of the view that the writ petition can be disposed of with the following direction:

Respondent No.4 is hereby directed not to call the petitioner to the police station and also not to

harass him without there being any crime registered against him. At the same time, the present order will not stand in the way of respondent No.4 to proceed with the investigation if any complaint is registered against the petitioner for a cognizable offence.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

4.1.2017
AMD



JUSTICE RAJA ELANGO

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Date: 4.1.2017

AMD