

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No. 36468 of 2017

ORDER:-

Heard Sri M.V. Venu, counsel for the petitioner and the Assistant Government Pleader for Home appearing on behalf of the respondents.

Shaik Mahboob Bee / petitioner prays for declaration of the action of the 2nd respondent in calling the petitioner to the Police Station at Lakshmidhevipalli and trying to arrest her without any crime registered against her, as illegal and unconstitutional.

Paragraph No.5 of the writ affidavit is relied on by the counsel for the petitioner to show the existence of cause of action for filing the writ petition and also against the alleged interference of the 2nd respondent.

Paragraph No.5 reads thus:

"I submit that I do not know any Tallapally Raju and he is a stranger to me. I submit, I do not have disputes or differences with regard to my land or personally with anybody. I submit, the said alleged Tallapally Raju has not met me till date nor he contacted me in any way. I submit, when that is the situation, respondent No.2 calling me to P.S and making me to sit for hours alleging a complaint is made against me by him is not justifiable. I submit, even respondent No.2 is demanding me to share half of my land with the said Raju. I submit, if really a complaint is made against me respondent No.2 has to take action as per the said alleged complaint. However, respondent No.2 is not producing any copy of FIR against me. I submit, the action of respondent No.2 is malicious. I submit, respondent No.2, even on 22.10.2017, called me to P.S and made me to sit till 11 P.M. I

submit that I am an old lady and without regard to my age or being a woman, respondent No.2 is making me to suffer by calling to P.S regularly.”

I have perused the averments in the affidavit and *prima facie* it appears to this Court that the affidavit does not disclose the details and basing on the details disclosed in the Paragraph excerpted above, this Court is not inclined to issue omnibus directions. Though this Court is not inclined to entertain the writ prayer, it is to be stated that the 2nd respondent, if, without any cause or complaint as complained in the writ petition, summons the petitioner, he would be doing the same at his risk and costs.

With the above observation, the writ petition is disposed of. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

S.V. BHATT, J

02.11.2017

bcj