

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.36169 of 2017

ORDER:

Heard Mr S.D.Gowd, counsel for petitioner and the Assistant Government Pleader (Home) for respondents 1 to 3.

The petitioner prays for the following relief:

“.....writ of mandamus declaring the action of the respondents 3 & 4 in calling the petitioner to the police station and interfering with the civil dispute in respect of the land in Sy.No.135 and Sy.No.136 total extent of Ac.35-00 cents of Kanakaveedu Village, Nandavaram Mandal, Kurnool District is illegal, arbitrary

From the averments in the writ affidavit, it is evident a suit between petitioner and respondent Nos.5 and 6 is pending. The petitioner is unsuccessful in getting temporary injunction from the trial Court and that the order has not become final, for C.M.A is pending before this Court.

Since the petitioner and respondent Nos.5 and 6 are parties to a suit and are working out their remedies in accordance with law, the consideration of averments in the affidavit or issuing any direction by this Court at this stage of the matter in the considered view of this Court, is not warranted.

The 4th respondent/Superintendent of Police, if interferes, in a civil dispute, it is needless to observe, the same is at his risk and expense.

Writ petition is dismissed. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 13.11.2017
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