

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 41843 OF 2017

ORDER:

This writ petition is filed alleging interference of respondent Nos.2 to 4 in the civil disputes in respect of land admeasuring Acs.3.12 cents, Ward No.14 in Town Survey Nos.2063, 1942 and 1939/1 of Kamala Nagar, Ananthapuramu Town.

When the matter came up for admission on 11.12.2017, it was adjourned to today at the request of the learned Government Pleader for Home.

Today, learned Government Pleader for Home placed on record the written instructions, dated 11.12.2017, wherein it is stated that respondent No.4 on receipt of information on 28.11.2017 at about 12.00 p.m. that there is altercation took place between two groups at Kamala Nagar, he rushed there along with the staff. The altercation stated to be taken place in relation to the constructions that are being made in the site situated opposite to Muthyala Reddy Milk Diary and on enquiry, respondent No.5 herein produced a copy of the order passed by the Principal Junior Civil Judge, Ananthapuramu in I.A.No.1415 of 2017 in O.S.No.808 of 2017. Noting that there are civil disputes between the parties, respondent No.4 disbursed the crowd and left the place. It is further stated that petitioner No.2 lodged a complaint

before respondent No.4 against respondent No.5 and 12 others with regard to execution of document, dated 13.11.2016, and based on the said complaint, Crime No.175 of 2017 was registered for the offences punishable under Sections 417 and 420 IPC and on completion of investigation, a charge sheet was filed, which was numbered as C.C.No.1746 of 2017 on the file of the Additional Judicial First Class Magistrate, Ananthapuramu. Similarly, respondent No.5 also lodged a complaint against petitioner No.2 and 20 others on 17.06.2017, which was registered as Crime No.260 of 2017 for the offences punishable under Sections 448 and 427 IPC read with Section 34 IPC and the matter is under investigation. The details of other crimes registered are also mentioned.

In view of the above, it is clear that there are disputes between the petitioners on the one hand and respondent No.5 on the other. Respondent No.4 categorically asserted in the written instructions that the Police have no intention to interfere with the civil disputes and as a matter of fact, with respect to the crimes registered, they are taking steps to complete the investigation and file charge sheet. In those circumstances, the allegation made by the petitioners that the Police are interfering with the civil disputes cannot be taken on its face value.

In view of the statement made by respondent No.4 in the written instructions, the writ petition is closed. However, liberty is given to the petitioners to workout the remedies as are available to them under civil law.

Consequently, the miscellaneous petitions, if any shall stand closed.

CHALLA KODANDA RAM, J

Dt:18.12.2017

kdl

