

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.4670 of 2018

ORDER:-

When the matter is taken up, the written instructions furnished by the Sub-Inspector of Police, Dharmajipet Police Station, West Godavari District, dated 16.02.2018, are placed on record by the learned Government Pleader. The said instructions, to the extent of their relevance for the purpose of this writ petition, read as under:-

“It is submitted that allegation of the petitioner though the matter is civil in nature and a Civil Suit in O.S.No.429 of 2016 on the file of the Hon'ble Court of Senior Civil Judge, Eluru, West Godavari district, filed by him, is pending adjudication with regard to the subject lands in question and the dispute is pending between the petitioner and the unofficial respondents, however, some private persons influenced the police and thereby, the respondent police are threatening the petitioners not to enter into the subject lands is absolutely false, baseless and hence denied.

It is pertinent to submit that as of now, this respondent did not summon the petitioners nor interfered with their peaceful possession and enjoyment of the subject lands in question.

This respondent police personnel enquiries revealed that, on mere apprehension to prevent the police from taking any action in the event of lodging of any complaint against them in future, the petitioners without any cause of action, rushed to this Hon'ble Court and filed the present Writ Petition.

I humbly submit that this respondent police never interfered with the civil disputes muchless the

dispute of the petitioners herein. This respondent is not the competent authority to dispossess the petitioner from the subject land and induct any person into the said land.”

On noticing the same, a request is made by the learned Counsel appearing for the petitioner to place on record the above instructions and dispose of the Writ Petition.

Having regard to the above instructions and taking into consideration of the submissions made by the learned Counsel appearing for the petitioner and also the learned Government Pleader, this Court deems it fit and proper to dispose of the writ petition by placing the above instructions on record.

Miscellaneous petitions pending, if any, shall stand disposed of. There shall be no order as to costs.

Date: 14.03.2018
smr

A.V.Sesha Sai, J

