

THE HON'BLE SRI JUSTICE P.KESHA VA RAO

WRIT PETITION NO. 38062 OF 2015

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader appearing for respondent Nos. 1 to 4.

2. The prayer sought in the Writ Petition is as under:

“...to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent 3 & 4 in calling the petitioner to the Krishnalanka and Machavaram Police Stations, Vijayawada, Krishna District by interfering into civil disputes between the petitioner and the respondent No.5 is illegal, arbitrary, in violation of principles of natural justice and in violation of Articles 14, 19 (1) (g) and 21 of the Constitution of India and consequently direct the respondent No. 3 and 4 not to interfere with the petitioner's day to day life by calling the petitioner to Krishnalanka and Machavaram Police Stations, Vijayawada, Krishna District by forcing to sit in the stations hour together.”

3. The grievance of the petitioner is that respondent Nos. 3 and 4 are calling him to their respective police stations and interfering in the civil disputes between him and respondent No.5.

4. Respondent No.3 filed a counter stating that the petitioner has been arrayed as an accused in Cr.No.334 of 2014 under Sections 417, 420 and 506 IPC on the file of Krishnalanka P.S. and the said case is pending trial vide C.C.No.273 of 2015. Respondent No.3 categorically stated that they are not interfering with the life and liberty of the petitioner, more particularly in the alleged civil disputes between the petitioner and respondent No.5. Except informing the date of hearing in the above said CC while serving the summons, respondent No.3 has absolutely nothing to do with the disputes between the petitioner and respondent No.5. It is also

specifically stated that respondent No.3 never detained the petitioner in the police station on 10.6.2015, 18.6.2015, 13.7.2015 and 20.11.2015 at the instance of respondent No.5.

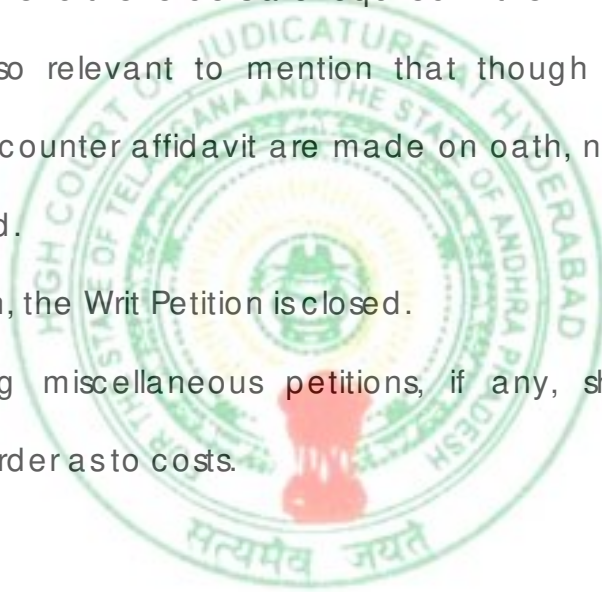
5. Respondent No.4 also filed a counter affidavit stating that they never interfered with the life and liberty of the petitioner as well as the civil disputes alleged to have been pending between the petitioner and respondent No.5.

6. Having regard to the facts of the case and in the light of the statements made in the counter affidavits, this Court is of the opinion that no further orders are required in the Writ Petition.

7. It is also relevant to mention that though the allegations made in the counter affidavit are made on oath, no reply affidavit has been filed.

8. As such, the Writ Petition is closed.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.



P. KESHAVA RAO, J

Date: 28.11.2018

KPM