

HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

Writ Petition No.6458 of 2012

ORDER:

Petitioners seek a writ of Mandamus declaring the action of the respondents 1 to 3 who are police officials, in harassing the petitioners to settle the matrimonial dispute between the 4th respondent and the son of petitioners 1 and 2 as illegal, arbitrary and consequently direct the respondents not to harass the petitioners in any manner except in accordance with law.

2) The case of the petitioners is that one Munuru Rajeswara Rao is the son of petitioners 1 and 2 and petitioners performed his marriage with 4th respondent on 19.11.2008 as per Christian religious rites, customs and tradition. Out of wedlock, they blessed with one female child—Niveditha. The petitioner's son went to Malaysia on deputation for a period of three years. While leaving for Malaysia, he informed the 4th respondent that he will take her and his daughter to Malaysia after securing proper accommodation. Thereafter, he sent visa papers to her and her daughter requesting to fill it and return to him to enable him to take them to Malaysia, but the 4th respondent did not return the visa papers and in spite of umpteen phone calls by petitioners' son, the 4th respondent did not respond. While so, 4th respondent filed a false complaint against the petitioners and their son alleging that they were harassing her for dowry and prevailed upon the officials of 3rd respondent in forcing them to sign a written undertaking on 24.12.2011 in the lines that 4th respondent agreed to

take Rs.15 lakhs towards full and final settlement for herself and daughter and the amount would be paid within three months. The petitioners' case is that their signatures on the agreement were obtained under threat and coercion. Further, the 4th respondent also lodged a false complaint with Pothinamallayapalem PS against the petitioners. The undertaking obtained by the 4th respondent is not binding on the petitioners. On account of false complaint lodged by the 4th respondent, the officials of 3rd respondent are frequently visiting the house of the petitioners at odd hours and summoning to come to the police station and making them to sit for long hours.

Hence, the writ petition.

- 3) Counters are not filed by the respondents.
- 4) In W.P.M.P.No.8200 of 2012, this Court passed interim order to the following effect on 13.03.2012.

“If there is any complaint filed by the 4th respondent, respondents 1 to 3 may proceed with investigation into the same, but, however, they are directed not to interfere with the life and liberty of petitioners nor take any coercive steps against them, pending further orders.”

- 5) When the matter came up for hearing, learned Government Pleader for Home, on instructions, would submit that the respondents 1 to 3 have never interfered with the personal life of the petitioners and they have not forced the petitioners to enforce agreement executed by them.
- 6) In view of the said submission and also in view of the interim order already passed by this Court, there is no need to pass any final order in the writ petition.

7) Accordingly, this Writ Petition is closed. No costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

Date: 30.08.2018
Murthy

U. DURGA PRASAD RAO, J

