

**THE HONOURABLE SRI JUSTICE A.V.SESHA SAI**

**WRIT PETITION No.6599 OF 2018**

**ORDER:**

Heard learned counsel for the petitioner and the learned Government Pleader for Home (TG) appearing for respondent Nos.1 to 3.

2. When the matter is taken up, written instructions, dated 28.02.2018, furnished by the Sub-Inspector of Police, Hussainialam Police Station are placed on record by the learned Government Pleader for Home. The said instructions read as under:-

***“In the preliminary inquiry it is clearly revealed that the dispute of the petitioner herein as well as the persons named in the complaint who are the unofficial respondents herein is purely civil in nature and that too, a civil suit in O.S.No.2911/2017 filed by the petitioner against the unofficial respondents herein seeking perpetual injunction over the subject property is pending adjudication and hence this respondent issued the impugned notice dated 15.1.2018 informing the petitioner/complainant to approach the competent court of law as this is a case of civil in nature.***

***It is pertinent to submit that the petitioner herein has already filed a Civil Suit in O.S.No.2911/2017 against the unofficial respondents herein seeking perpetual injunction over the subject property in question and the same is pending adjudication and hence it is not just and proper for the respondent police to initiate any action on the complaint of the petitioner herein and advised the petitioner to seek his redressal in a competent Court of law.***

***It is also pertinent to submit that this respondent is not the competent authority to say that the petitioner***

***should stop the construction activity in the subject premises which is the subject matter in O.S.No.2911/2017.***

***It is submitted that the allegation of the petitioner that this respondent owing to the local political pressures brought out by the unofficial respondents is threatening him to settle out the disputes with them or else, he has no option except to foist false cases against him and was directing the workers engaged by him not to proceed with any construction and the said action of this respondent in interfering with his rights is causing him untold hardship and untold mental agony is absolutely false, baseless and hence denied.***

***It is pertinent to submit that the petitioner to settle his personal scores with the unofficial respondents herein, is trying to involve this respondent police into his personal and civil disputes. At any point of time, this respondent interfered with the civil disputes muchless the dispute of the petitioner herein.”***

3. Having regard to the above said instructions and taking into consideration the submissions of the learned counsel for the petitioner, this Writ Petition is disposed of, by placing on record the written instructions, dated 28.02.2018, furnished by the Sub-Inspector of Police, Hussainialam Police Station. There shall be no order as to costs.

4. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

**JUSTICE A.V.SESHA SAI**

Date : 28.02.2018  
AMD

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AMD