

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.9453 of 2018

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioners requesting to declare the action of respondents 3 and 4 in calling the petitioners to the police station and pressurising them to settle a civil dispute with the fifth respondent and others, as illegal, arbitrary and violative of the provisions of the Constitution of India and principles of natural justice.

2. I have heard the submissions of the learned counsel for the petitioners and of the learned Government Pleader for Home (A.P.) appearing for respondents 1 to 4. I have perused material record.

3. Learned counsel for the petitioners, while reiterating the averments made in the affidavit filed in support of the writ petition, seeks a direction to the respondent police not to call the petitioners to the police station and pressurise them to settle the civil dispute with the fifth respondent and others and to further direct the respondent police not to interfere with the disputes, which are of civil nature.

4. Learned Government Pleader for Home, on written instructions, which are placed on record, would submit that the fifth respondent approached the Superintendent of Police, Kurnool District, and filed a complaint, dated 12.03.2018, against one Balaiah, who is the father of petitioners 1 and 2;

that the said complaint was forwarded to the Inspector of Police, Bethamcherla Circle; that the Inspector of Police, Bethamcherla, on receiving the said report, called both parties to the police station only once i.e., on 14.03.2018 for the purpose of enquiry; that after such enquiry, the parties were advised to approach either the Legal Services Authority or any other competent forum; that accordingly, a report, dated 16.03.2018, was submitted by the Inspector of Police, Bethamcherla, to the Superintendent of Police, Kurnool, in the matter; that the allegations in the writ petition are false and contrary to the above stated facts and that respondents 3 and 4 never interfered with any civil disputes as alleged in the writ petition.

5. Recording the submissions, the writ petition is disposed of directing respondents 2 to 4 not to call the petitioners to the police station unless a crime, if any, is registered against them in accordance with the procedure established by law.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

M.SEETHARAMA MURTI, J

Date: 29.03.2018
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