

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION No.19345 OF 2013

ORDER:

Heard the learned counsel for the petitioners, learned Government Pleader appearing for the respondent No.1 and 2 and the counsel appearing for the 3rd respondent.

In this writ petition, the petitioner is challenging the action of the respondents 1 and 2 in interfering into the civil disputes between the petitioners and the 3rd respondent.

The basic allegation made in the writ petition is that the respondents 1 and 2, without any authority or law, are trying to interfere with the peaceful possession and enjoyment of the petitioners in respect of the subject-property and are also interfering with the disputes pending with the 3rd respondent.

The learned Government Pleader appearing for the respondents 1 and 2 filed a copy of the written instruments to the effect that the Special Agent and Sub-Divisional Magistrate, Mobile Court, Bhadrachalam, Khammam passed orders in I.A.No.177 of 2012 in O.S.No.129 of 2012 on 28.09.2012 and 01.06.2013 directing the Station House Officer, Venkatapuram to provide police protection to the 3rd respondent. Except giving protection pursuant to the said order, the 2nd respondent has not interfered nor forced the petitioners to settle the matter.

Per contra, the learned counsel appearing for the petitioners submitted that the interim injunction granted initially for a limited period, is not extended and there is no injunction order at all. In fact, against the order of granting an injunction, the petitioners approached this Court by way of filing C.R.P.No.3972 of 2013 and the said order was suspended by

this Court on 13.09.2013. It is also informed that the said revision is still pending consideration before this Court.

On the other hand, the learned counsel appearing for the 3rd respondent submitted that the Revenue Department, after considering the documentary evidence, placed before them, issued pattadar passbooks in favour of 3rd respondent.

Be that as it may, from the perusal of the facts and based on the submissions made by both the counsel, this Court is of the opinion that the matter is purely civil in nature and seized of by a competent civil Court in O.S.No.129 of 2012. Further the learned Government Pleader, based on instructions, submitted that except providing police protection pursuant to the orders as stated supra, the 2nd respondent has not interfered in the disputes pending between the petitioners and the 3rd respondent.

In the light of the statement made by the learned Government Pleader appearing for the respondents 1 and 2, this Court is of the opinion that no further orders are required in the writ petition.

Accordingly, the writ petition is closed. It is needless to observe that the petitioners as well as the 3rd respondent have to work out their remedies in the suit in O.S.No.129 of 2012. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

06th NOVEMBER 2018.
Tsr

P.KESHAVA RAO,J