

HONOURABLE SRI JUSTICE P. KESHAVA RAO

WRIT PETITION No. 26619 of 2014

ORDER:

Heard the learned counsel appearing for the petitioner and the learned Government Pleader for Home appearing for the respondents 1 to 3.

2. The prayer of the writ petition is as under:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Court may be pleased to issue any appropriate writ, order or direction more particularly in the nature of writ of mandamus, declaring the action of the respondents, respondents 3 and 4 in trying to interfere with civil disputes at the behest of respondent No.5 in respect of the property i.e. open land admeasuring 726 square yards (06 guntas) in Sy.No.560/A covered under Ward No.1 Block No.5, situated at Alwal village, Malkajgiri mandal, Ranga Reddy District and in that process harassing the petitioner by calling him to police station and making him to wait hours together without any reason, whatsoever and taking signatures on some document forcibly and threatening the petitioner with dire consequences, if he enters into the said land, despite injunction order dated 02.09.2014 in I.A.No. 893 of 2014 in O.S.No.156 of 2014 passed by Additional Junior Civil Judge, Malkajgiri, R.R. District, as illegal, arbitrary, and unconstitutional and violative of Articles 14, 19 and 21 of Constitution of India and consequently directing the respondents 2 to 4 not to indulge in settling civil disputes between the petitioner and respondent No.5 in respect of the said property and not to harass the petitioner by repeatedly coming to the said property and warning him with dire consequences, and pass such other order or orders as this Court may deem fit and proper in the circumstances of the case.”

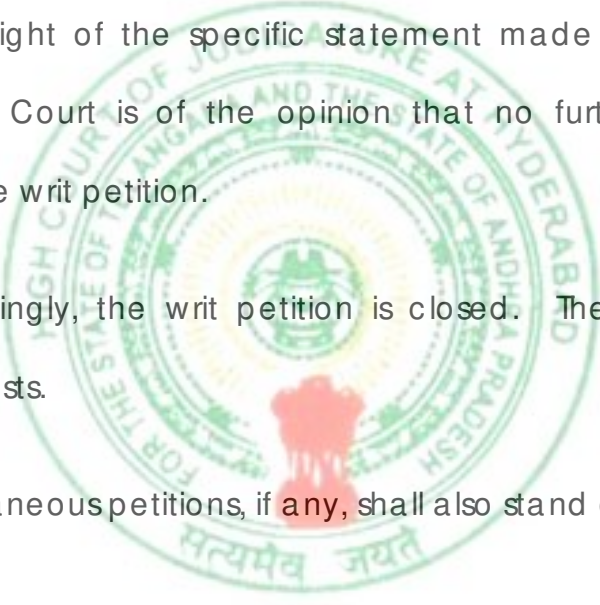
3. Learned counsel appearing for the petitioner strenuously contended that the third respondent is interfering with the civil disputes between him and 5th respondent and calling him to the police station and threatening him with dire consequences if he enters into the subject matter despite there being injunction order dated 02.09.2014 in I.A.No. 893 of 2014 in O.S.No.156 of 2014 on the

file of the Additional Junior Civil Judge, Malkajgiri, R.R. District. The 4th respondent filed a counter stating that basing on the complaint of the 5th respondent dated 28.08.2014, a case in Crime No.769 of 2014 under Sections 447 and 427 IPC came to be registered on 28.08.2014 against the petitioner and others. It is also stated in the counter-affidavit that except registering the above said crime against the petitioner and another with regard to the said land, the respondent-police never interfered with the land of the petitioner and he was never called to the police station.

4. In the light of the specific statement made in the counter affidavit, this Court is of the opinion that no further orders are required in the writ petition.

5. Accordingly, the writ petition is closed. There shall be no order as to costs.

Miscellaneous petitions, if any, shall also stand dismissed.


P. KESHA VA RAO, J

Date:06.11.2018
ccm

HON'BLE SRI JUSTICE P. KESHA RAO



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