

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.11827 of 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking verbatim the following relief:

“..to issue a writ order or direction more particularly one in the nature of Writ of Mandamus, declaring the illegal acts of the respondents No. 3 & 4 summoning the petitioner to the police station illegally by way of threat and coercion and making them to sit in the police station for hours together without any case at the behest of unofficial respondent No.5 as illegal, arbitrary and unjust and consequently direct the respondents 3 & 4 not to harass the petitioner by summoning the petitioner to the police station without due process of law and pass such other order or orders as this Honorable Court may deem fit and proper in the circumstances of the case and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. I have heard the submissions of the learned counsel for the petitioner and of the learned Government Pleader for Home (Telangana) appearing for respondents 1 to 3. I have perused the material record.

3. Learned counsel for the petitioner would submit that the fifth respondent's marriage was earlier performed with one Neelakanteswara Rao, but they were living separately on account of some disputes between them; that the petitioner and the fifth respondent belong to the same locality; that taking advantage of the same, the fifth respondent started blackmailing the petitioner to marry her; that she is threatening to implicate the petitioner in false cases in the event he fails to marry her; that the fourth respondent-police officer, who belongs to the same community of the fifth respondent, encouraged her in that direction; that at the behest of the fifth respondent, the fourth respondent performed the marriage

of the petitioner with the fifth respondent forcibly on 08.03.2018 at 6.00 p.m. at Saibaba Temple Premises, Vigneswara Swamy Mandiram, Manuguru; and, that thereafter, the fourth respondent is calling the petitioner to the police station and harassing him, without following due process of law, despite the fact that no crime has been registered against him.

4. The learned Government Pleader for Home, on written instructions, a copy of which is placed on record, would submit that the allegations in the writ petition in so far as the police officers are concerned, are baseless and false; that the dispute between the petitioner and fifth respondent is purely civil/matrimonial in nature; that no complaint whatsoever was received against the petitioner and no crime was registered against him; that the petitioner was never called to the police station as alleged in the writ petition; and, that the allegations in the writ petition are false, frivolous and concocted.

5. Recording the submissions, the writ petition is disposed of directing respondents 2 and 3 not to call the petitioner to the police station unless a crime is registered against him by following the due procedure established by law. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

M. SEETHARAMA MURTI, J

Date: 10.04.2018
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