

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.15743 of 2018

ORDER:

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

“For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon’ble Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of a Writ of Mandamus declaring the action of the respondent no.4 & 5 at the behest of the respondent no. 6 & 7, illegally threatening the petitioner for settlement of civil dispute between the petitioner and the respondent 6 & 7 and demanding to withdraw the S.A.No. 973 of 2017 and the respondent no. 4 & 5 will foisting a false case against the petitioner by obtaining the false complaint from the respondent no.6 & 7 as illegal, arbitrary, highhanded, atrocious against all cannons of justice and in violation of Art. 21 of the Constitution of India and consequently direct the respondent no.4 & 5 not to interfere the civil disputes and may pass such other order or orders as the Hon’ble Court may deem fit and proper in the circumstances of the case.”

2. I have heard the submissions of Ms. *A.Vijayalakshmi*, learned counsel appearing for the petitioner, and of the learned Government Pleader for Home (A.P.), appearing for the respondents 1 to 5. I have perused the material record.

3. Learned counsel for the petitioner submits that as regards the land in dispute, which is the subject matter, a Second

Appeal in S.A.No.973 of 2017, filed by the petitioner, is pending and that in that second appeal, *status quo* orders are granted initially for a limited time and that later, the said orders were extended and both parties are directed to maintain *status quo*, pending disposal of the second appeal and that despite such orders of this Court, the petitioner is being harassed by the Police Officers, at the instance of the respondents 6 & 7 herein and that there is a contemplation to involve the petitioner in false cases by registering false crimes on the complaints of the respondents 6 & 7.

4. Learned Government Pleader for Home, on written instructions, dated 27.04.2018, a copy of which is placed on record, would submit that there is a dispute with regard to possession over the subject land and that the Station House Officer, D-Hirehal Police Station, Ananthapuramu District, registered a case in Crime No.76 of 2017, on 07.11.2017, for the offence punishable under Section 107 of Code of Criminal Procedure, 1973, on account of happening of an untoward incident and that he produced both the parties to the said incident before the Mandal Executive Magistrate concerned and that the allegations contrary to the said facts are false and that no interference was ever made into the civil dispute and that the petitioner was never threatened to withdraw the second appeal and that in fact, the respondents 4 & 5/Police Officers are busy with the investigation into a murder case in Crime No.14 of 2018, in the limits of Bommanahal Police limits.

5. Recording the submissions of the learned Government Pleader that the Police Officers are not interfering with the civil dispute and are not coercing for withdrawal of the second appeal, the Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

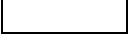
Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

M.SEETHARAMA MURTI, J

Date: 30th April, 2018

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