

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.22748 of 2018

ORDER:

Heard learned counsel for the petitioners and learned Assistant Government Pleader for Home.

It is the case of the petitioner that the respondents 3 and 4 are calling the petitioner to police station at the instance of unofficial respondents 5 to 7.

Learned Assistant Government Pleader for Home produced written instructions stating that on the complaint of the 5th respondent, a case is registered against the petitioner on 26.06.2018 in Cr.No.193 of 2018. He submits during the course of investigation, L.Ws 1 to 6 were examined and recorded their statements and that the further case is under investigation for conclusion of evidence. He submits that the allegation made by the petitioners are denied and also that they never called the petitioners to police and never enquired about any civil cases or civil issues. He submits that though the respondent-police called the petitioner No.2 to police station to produce documents regarding the land, he did not turn up and not cooperating with the investigating officer.

In this case, it is to be seen that when the respondents 5 to 7 interfered with the possession and enjoyment over the property of the petitioners, they filed suit i.e., O.S.No.136 of 2018 on the file of the Junior Civil Judge, Tenali against respondents 5 and 6,

wherein temporary injunction to maintain status quo of the plaint schedule property until further orders was granted on 15.06.2018.

As per the written instructions produced by the learned Assistant Government Pleader for Home, a case in Crime No.193 of 2018 was registered against the petitioners on 26.06.2018. Learned counsel for the petitioner submits that when petitioner obtained injunction on 15.06.2018, the question of registering case against the petitioners for trespass on 26.06.2018 does not arise. But the petitioners have not challenged the registration of crime on that ground.

In view of above facts and circumstances, the respondents-police shall not interfere with the civil disputes between the petitioners and the unofficial respondents and also shall not interfere with the life and liberty of the petitioners, except in accordance with law. Under the guise of registration of crime against the petitioners, the unofficial respondents shall not interfere with the possession of the petitioner, since it is stated that petitioner already obtained injunction.

With the above observation, this Writ Petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

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Date 11.07.2018.

kvs