

THE HON'BLE SRI JUSTICE P.KESHAHA RAO

WRIT PETITION NO. 11300 OF 2013

ORDER:

Heard the learned counsel for the petitioner and the learned GP appearing for respondent Nos. 1 to 3.

2. The prayer sought in the Writ Petition is as under:

“..to issue any appropriate Writ, Order or direction more in the nature of Writ of Mandamus declaring the action of the Respondent No.3 who is made as party by name as Respondent No.4 in interfering with the Civil dispute at the instance of Respondent No.5 herein and calling the petitioner to police station and compelling him to settle the civil dispute with the Respondent No.5 as illegal, arbitrary, violative of Articles 14 and 21 of the Constitution of India and also contrary to the instructions issued by the higher authorities directing the police personnel not to interfere with the civil disputes.”

3. The main grievance of the petitioner is that respondent No.3 is interfering in the civil dispute between him and respondent No.5 and in the process he was being summoned to the police station by respondent No.3 and pressurizing him to vacate from the premises of respondent No.5. It is also the case of the petitioner that respondent No.5 is a retired police constable and taking advantage of his close association with

respondent No.3, he is threatening the petitioner to vacate the premises.

4. Learned GP appearing on behalf of respondent Nos. 1 to 3 placed on record, the written instructions dated 18.4.2013 received from the Assistant Sub-Inspector of Police, I-Town P.S. Adilabad District.

5. A perusal of the said instructions would reveal that the police have not interfered in the possession of the premises, more particularly on 11.4.2013 and 12.4.2013, the dates on which, the petitioner has stated that the Police have visited his house. It is also mentioned in the written instructions that except receipt of a complaint lodged by the petitioner, the respondents have never harassed, threatened and interfered with the civil dispute between the petitioner and respondent No.5.

6. Recording the said submission, this Court is of the opinion that no further orders are required in the present Writ Petition.

7. Accordingly, the writ petition is closed.

8. At this stage, it is informed by the learned counsel for the petitioner that pursuant to the complaint lodged by the petitioner, a case in Crime No.68 of 2013 was registered for the offence under Sections 448, 290, 427 and 307 read with 149 IPC. It is also brought to the notice of this Court that originally,

the concerned Police filed a final report referring it as a false case. Based on the same, the petitioner filed a protest petition which was accepted by the Court below. In such an event, it is needless to observe that the closure of the present Writ Petition will not come in the way of the petitioner to pursue remedies available to him as per law.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

P. KESHA RAO, J

Date: 8.11.2018

KPM

