

HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

W.P. No.1360 of 2016

ORDER:

This Writ Petition is filed, under Article 226 of the Constitution of India, to declare the action of the respondents in interfering with the civil disputes pending between the petitioner and respondents 7 and 8 in respect of O.S. No.70 of 2015 on the file of the Junior Civil Judge Court, Mylavaram and forcing the petitioner to withdraw the case and settle the disputes with respondents 7 and 8 by canceling the registered sale deed dated 27.06.2013 as illegal.

2) Heard learned counsel for the petitioner and learned Assistant Government Pleader for Home appearing for respondent Nos.1 to 6.

3) The case of the petitioner is that there is a civil dispute between the petitioner and respondents. The petitioner has filed a suit in O.S. No.70 of 2015 against the respondents on the file of the Junior Civil Judge Court, Mylavaram. The police—respondent No.1 are interfering in the civil dispute pending between the petitioner and respondents 7 and 8 by calling the petitioner to settle the matter with unofficial respondents 7 and 8. Therefore, the petitioner has filed the present writ petition.

4) He further submits that this Court has already granted interim order on 19.01.2016 stating that as it is a settled legal position that the police authorities are not entitled to interfere in any civil disputes, the respondent authorities shall be conscious of their powers in the context of any criminal investigation under the

provisions of the Code of Criminal Procedure, 1973, and shall not subject the petitioner to any harassment or interference in connection with her civil dispute with the unofficial respondents.

5) Learned Assistant Government Pleader for Home submits that the official respondents have not been interfering in the civil matters of the petitioner.

6) The 2nd respondent has filed his counter to that effect. In para No.10 of the counter affidavit, he denied that the respondent Nos.7 and 8 approached the respondents 1 to 3 police for settlement of the civil dispute and the respondent No.3 summoned the husband of the petitioner and directed to withdraw the civil suit O.S. No.70 of 2015 and cancel the registered document dated 05.12.2005 and also sale deed dated 27.06.2013 or else the police will implicate the petitioner in false cases. It is further submitted that the police have not interfered with the civil disputes between the petitioner and respondents 7 and 8 and prayed for dismissal of the writ petition.

7) Having regard to the above facts and circumstances of the case, as the affidavits of the petitioner and respondents are like oath against oath and there is no other material available on record. In view of the observation made by this Court in the interim order, it holds good for the purpose of this writ petition. As the police are not expected to interfere in any civil disputes, the official respondents are directed not to interfere with the civil matters of the petitioner.

8) With the above direction, this writ petition is disposed of.
No order as to costs.

Consequently, miscellaneous petitions, if any, pending in
this writ petition shall stand dismissed.

GUDISEVA SHYAM PRASAD, J

Dt.19.04.2018.
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Date:19.04.2018

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