

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

and

The Hon'ble Sri Justice Gudiseva Shyam Prasad

Writ Petition No.10121 of 2009

Date: 07.09.2018

Between:

M.Adinarayana

..Petitioner

and

The Mandal Legal Services Committee
Dharmavaram, rep. by its Chairman and 4 others

..Respondents

Counsel for the petitioner:

Mrs.B.Tara Sujatha

Counsel for respondent No.1:

**Mr.J.Anil Kumar,
SC for Legal Services Authority**

Counsel for respondent Nos.2 to 4:

AGP for Home

Counsel for respondent No.5:

**Mr.N.Raja Rajeswara Reddy
for Mr.Narasiah Golla**

The Court made the following:

Order: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This Writ Petition is filed for issue of a Certiorari to quash Order, dated 18-04-2009, in MSLC.No.11/09 on the file of respondent No.1- Mandal Legal Services Committee, Dharmavaram.

The petitioner has approached respondent No.1 seeking protection from respondent No.5, who is none other than his own wife, who, allegedly, separated from him through caste custom. Respondent No.5 filed a counter. Though both the petitioner and respondent No.5 were absent, respondent No.1 has made certain observations touching the legal relationship between them and eventually, dismissed the said petition by the impugned order.

In our opinion, in the absence of any settlement between the petitioner and respondent No.5, respondent No.1 ought to have dismissed the petition without any observations. Instead, it has made certain unwarranted observations affecting the rights of the petitioner. Accordingly, the observations made by respondent No.1 in the impugned order are expunged.

In the light of the fact that a petition of the nature filed by the petitioner was not entertainable by respondent No.1,

the order impugned, to the extent of dismissing the same, does not call for any interference.

The Writ Petition is, accordingly, disposed of.

As a sequel to disposal of the Writ Petition, interim order, dated 13-05-2009, is vacated and WPMP.No.13077 of 2009, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

(Gudiseva Shyam Prasad, J)

Dt: 7th September, 2018
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