

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.30144 of 2018

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, with the following prayer:

“To issue a writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 4th Respondent in insisting the petitioners to give up their agricultural property admeasuring an extent of 18 Gts in favour of 5th and 6th respondent in Survey Number 25/A situated at Vemulapally Village and Mandal Nalgonda dist as illegal irregular without jurisdiction and offends Articles 14 19 and 300A of Constitution of India and consequently direct the 4th Respondent not to insist the petitioners to appear before him and consequently direct the 4th respondent not to insist the petitioners to give up their agricultural property admeasuring 18 gts in favour of 5th and 6th respondent in Survey Number 25/A situated at Vemulapally Village and Mandal Nalgonda dist”.

Today, when the matter is taken up, written instructions dated 23.8.2018 furnished by the Sub-Inspector of Police, Vemulapalli Police Station, Nalgonda district are placed on record by the learned Government Pleader for Home. The said written instructions read as under:

“The petitioner herein has approached the Police of Vemulapalli police Station and submitted a petition dated 24.7.2018 stating that she is having lands to an extent of Ac.4.12 gts in Sy.No.25/A and in that land, about Ac.0.20 gts were illegally occupied by Mr.K.Kopal Reddy and his wife Smt.K.Lalitha and when she questioned for their illegal occupation of land, they abused her in filthy language and threatened her with dire consequences due to which she is suffering mentally and hence requested to take necessary action against them.

Upon receipt of the said petition, an entry was made into the Station General Diary on 24.7.2018 at 16.30 hrs after enquiry action will be taken. Similarly, on 24.7.2018, Smt.K.Lalitha (61h respondent herein) has approached the police of Vemulapalli Police Station and submitted a petition on 24.7.2018 at about 16.50 hrs requesting to initiate action against Gogu Matta Reddy and Gogu Sunitha as they illegally occupied her lands covered by Sy.Nos.25, 26 to an extent of Ac.4.00 gts and also they threatened with dire consequences and hence requested to take necessary action against them. Upon receipt of the said petition, an entry was made into the Station General Diary on 24.7.2018 at 16.50 hrs after enquiry action will be taken.

Since the dispute of the petitioner as well as the unofficial respondents herein is purely civil in nature and they are claiming rights and title in respect of their lands in question and hence immediately advised both parties to seek redressal in a competent court of law. But no case was registered till date on their Complaints.

It is submitted that the allegation of the petitioner that on 16.8.2018 sent a police constable to her residence asking her to come to the police station and having gone to the police station, she attended before the 41h respondent police station on 16.8.2018 in the early morning and he made her to sit in the police station till evening and intimidated to settle the civil dispute or else this respondent would implicating them in criminal cases is absolutely false and hence denied. It is submitted that the allegation, of the petitioner that this respondent warned the petitioner to settle the matter with the 5th and 6th respondents and deliver the subject property to them otherwise , this respondent will book so many cases against her and she tried to show cause the case against her, this respondent kept her in the police station upto 9.30 p.m and send her to home and ordered her to come tomorrow two days later i.e., 18.8.2018 is absolutely false and hence denied.

It is submitted that the allegation of the petitioner this respondent taken the petitioner to the police station and kept him in the police station is false and hence denied and used vulgar language and abused him very harshly and threatened to foist a false case against him and his family members and demanded to hand over the subject property in favour of the 5th and 6th respondent herein and vacate the property and this respondent being collusion with the 5th

and 6 respondent and with an intention to harass him and his family members are interfering in civil disputes is absolutely false, baseless and hence denied.

It is submitted that the allegation of the petitioner that due to influence of the political parties, the police has been harassing him by calling them to the police station frequently and threatening that he will be put behind the bars if he does not settle the matter with the 5th and 611I respondent herein is utterly false and hence denied.

It is pertinent to submitted that no case whatsoever was registered as of now, on the file of Vemulapalli Police Station. This respondent police never interfered with the civil disputes muchless the dispute of the petitioner herein

To wreck vengeance against the unofficial respondents, the petitioner made false and baseless allegations against this respondent police and hence the same are totally denied.”

Recording the said instructions dated 23.8.2018, the writ petition is disposed of, directing the Respondent Police authorities not to interfere with the civil dispute of the petitioner unless the same is permissible in accordance with law. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 24.12.2018
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THE HON'BLE SRI JUSTICE A.V.SESHA SAI



24.12.2018

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