

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.34344 of 2018

ORDER:

When the matter is taken up, written instructions dated 25.09.2018 furnished by the Sub-Inspector of Police, Tadwai Police Station, Jayashankar Bhupalpalli District are placed on record by the learned Government Pleader for Home.

To the extent of their relevance to the present writ petition, the said instructions read as under:

“One Sri Jannapureddy Narayanareddy/7th respondent herein has approached the Police of Tadwai Police Station and lodged a complaint on 10.4.2018 stating that he is having lands in Sy.No.11/41 measuring to an extent of Ac.5.02 gts and he has been cultivating the said land and on 31.3.2017 the Mandal Revenue Officer, Tadwai Mandal also surveyed the said land and fixed the boundaries and that the petitioner herein is trying to encroach the said land saying that the said land belongs to him and on 10.4.2018 the petitioner came to his land and trying to encroach his land illegally and hence requested the police to call the petitioner and enquire the matter and do justice to them according to law.

Upon receipt of the said complaint, an entry was made into the Station General Diary on 10.4.2018, after enquiry action will be taken.

Accordingly, as per request made by the 7th respondent/complainant and to know the veracity in the contents of the complaint of the 7th respondent herein, in good faith, this respondent summoned the petitioner to the police station on 10.4.2018 and got the matter enquired with both the parties. Immediately, then and there, advised the complainant/7th respondent to seek his redressal in a competent court of law as it is a case of civil in nature and the respondent police are no way concerned with it.

Except summoning the petitioner to enquire the matter, no case whatsoever was registered against the petitioner on the said complaint till date.

It is submitted that the allegation of the petitioner that this respondent at the instance of the 7th respondent has been repeatedly insisting him to appear before this respondent and settle to the terms of the 7th respondent in respect of the subject lands of the petitioner herein covered by Sy.No.11/41 of Madaram village, sS Tadvai Mandal, is absolutely false, baseless and hence denied.

It is submitted that the allegation of the petitioner that this respondent on 10.7.2018 sent a police constable to his house asking him to appear before this respondent, alleging that he should evict from the subject land since the 7th respondent is claiming it to be his land is utterly false, baseless and hence denied.

In this regard, I humbly submit that to know the veracity in the contents of the complaint dt.10.4.2018 of the 7th respondent herein, summoned the petitioner herein and got the matter enquired with him and immediately sent him away.

It is submitted that the allegation of the petitioner that according to this respondent instructions, the petitioner appeared before this respondent and informed about his title, possession and enjoyment over the subject land and background of the 7th respondent and explained the pendency of the revision petition before the competent revisional authority, this respondent did not head to his submissions and orally stated that he should vacate from his land within 10 days and hand over the same to the 7th respondent is utterly false and hence denied.

It is humbly submitted only for petition enquiry this respondent summoned the petitioner to the police station and never had ask him to vacate the subject land and hand over the same to the 7th respondent within the time stipulated. I humbly submit that this respondent is not the competent authority to evict the petitioner from the lands in question.

It is pertinent to submit that at any point of time, this respondent never interfered with the peaceful possession and enjoyment of the subject lands of the petitioner herein. I humbly submit that this respondent never interfered with the civil disputes much less the dispute of the petitioner herein.”

Having regard to the written instructions and taking into consideration the submissions of the learned counsel for the petitioner and the learned Government Pleader for Home, this Court deems it appropriate to dispose of the writ petition by placing on record the above said instructions.

Accordingly, the writ petition is disposed of by placing on record the written instructions dated 25.09.2018 furnished by the Sub-Inspector of Police, Tadwai Police Station, Jayashankar Bhupalpalli District. There shall be no order as to costs.

Miscellaneous Petitions pending consideration, if any, in this Writ Petition shall stand closed.

Date :23.10.2018
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JUSTICE A.V.SESHA SAI

