

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.37165 of 2018

ORDER:-

When the matter is taken up, the written instructions furnished by the Sub-Inspector of Police, Lepakshi Police Station, Anantapur District, dated 04.12.2018, are placed on record by the learned Government Pleader. The said instructions read as under:-

“It is submitted that the writ petitioner herein filed the present Writ Petition by raising certain allegations against the 3rd respondent herein has been calling the petitioner to the Police Station, by sending his constable every day and threatened to handover the possession of property, which is pending adjudication of O.S.No.78/2018 on the file of Junior Civil Judge, Hindupur, and also tried to take his signatures on blank papers, for compromising the said civil suit. He further alleged that due to the said inaction of the 3rd respondent herein, the writ petitioner herein is unable to do his daily work.

It is submitted that all the allegations are incorrect and baseless and are concocted for filing the present Writ Petition only. It is submitted that basing on the written report submitted by the 5th respondent herein, who is the wife of the 4th respondent herein, to the 3rd respondent herein against the writ petitioner herein by stating that the writ petitioner herein has been obstructing them from erecting house in their land in Sy.No.236-1 to an extent of Ac.0.03 cents situated in Kanchisamudram village Polam, K.Basavanapalli village. It is pertinent to mention here that in support of the said complaint, the 5th respondent herein submitted Possession and Enjoyment Certificates issued in their favour. After receipt of the said report, the 3rd respondent herein entered the same in the Reception Register on 02.09.2018 at Sl.No.268. Copies of the written report along with possession and enjoyment certificates and the entry of the receipt register for kind perusal.

It is submitted that after entering the same in the Register, the 3rd respondent herein called the writ petitioner herein for the purpose of enquiry and instructed him to produce the material documents if any in his favour in connection with the said land. During the course of enquiry, the writ petitioner

herein disclosed that a civil suit vide O.S.No.78/2018 is pending adjudication before the Court of the Junior Civil Judge, Hindupur, in connection with the said property. Basing on the same, the 3rd respondent herein advised the 5th respondent to follow up their case by defending the said pending suit. Till then, neither the 3rd respondent called the writ petitioner to the Police Station, nor demanding him for withdrawing the said suit, by threatening as alleged by him.

It is submitted that the 3rd respondent herein did not commit any illegality or irregularity as alleged by the writ petitioner herein. The respondent Police have great respect on the Courts and its orders. This respondent will obey the orders, if any, passed by this Hon'ble Court in connection with the present Writ Petition."

Accordingly, the Writ Petition is disposed of, by placing on record the said instructions furnished by the Sub-Inspector of Police, Lepakshi Police Station, Ananthapur District, dated 04.12.2018, with a further direction to the respondent-Police authorities not to interfere with the civil disputes unless the same is permissible in accordance with law.

Miscellaneous petitions pending, if any, shall stand disposed of. There shall be no order as to costs.

A.V.Sesha Sai, J

Date:18.12.2018
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