

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

WRIT PETITION No.38281 of 2018

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for Home, apart from perusing the entire material available on record.

When the matter is taken up, written instructions, dated 02.11.2018, furnished by the Inspector of Police, Nacharam Police Station, are placed on record by the learned Government Pleader. The said instructions, to the extent of their relevance to the present Writ Petition, are as under:

"The petitioner herein has sent a petition dated 2.10.2018 to this respondent police station through post marking copies to the higher-ups stating that she has two daughters now aged 18 years and 16 years and her first husband Mr.Marella Ramesh died in an accident in the year 2005 and since then herself and her two daughters are residing in H.No.3-1-6/28/3, Sri Nilayam, Nagalakshmii Nagar, Mallapur, Opp to GHMC Gym Centre, Hyderabad and later she got acquaintance with one Mr.J.Thirumala Reddy for the last 7 years and due to acquaintance both married and residing in the said house along with her two daughters but the second marriage of her did not digest her father, brothers and brothers-in-law and they are harassing her in one way or the other and threatened her to vacate the said premises and hence, she requested to provide protection to her and her husband from the hands of her father, brothers and brothers-in-law and to see re-written of her property ie, documents jewellery, FDRs from her father since those are under his custody.

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

It is submitted that in the enquiry it is revealed that the dispute of the petitioner and her father and brothers, brothers-in-laws is purely civil in nature and hence this respondent orally advised the complainant/petitioner to seek her redressal in a competent Court of law.

It is submitted in the enquiry it is further revealed that the petitioner requested the police to collect the documents, jewellery and FDRs from the possession of her father and hand over the same.

I humbly submit that in the enquiry it is also further revealed that the unofficial respondents herein who are none other than own relatives of the petitioner herein are not interested the petitioner's second marriage with Mr Tirumala Reddy.

Since the dispute of the petitioner herein as well as unofficial respondents herein is purely personal and civil in nature. To wreck vengeance against her father brothers and brothers-in-law, the petitioner unnecessarily trying to involve the respondent police into the civil disputes.

It is submitted that the allegation of the petitioner that on 9.9.2018 Sri Vittal Reddy/Inspector of Police, Nacharam Police Station/6th respondent (who relieved from this respondent police station last month) called her and her husband to the police station and warned them not to enter into her house and also abused her in filthy language and taken photograph of her husband and taken his aadhar card and by that time the unofficial respondents 8 to 12 were also present revealed that no complaint was received from the unofficial respondents herein against the petitioner herein or her husband regarding the subject issue in t there is utterly false, baseless and hence denied. The records question and hence summoned by the then SHO, Nacharam Police Station does not arise.

It is pertinent to submit that no complaint whatsoever was received against the petitioner herein from the hands of the unofficial respondents regarding her second marriage without consent of them. Under these circumstances, it is very difficult for the respondent police to provide police protection to the civil disputes of the petitioner herein such as personal and family dispute. However, this respondent shall abide by the directions/orders if any passed by this Hon'ble Court.”.

By placing on record the above written instructions Writ Petition is disposed of, however with a liberty to the petitioner to avail the remedies open under law. There shall be no order as to costs.

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

A.V. SETHA SAI, J

08th November, 2018
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