

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION NO.30964 OF 2014

ORDER:

Heard both sides.

2. The prayer sought in the Writ Petition is as under:

“...issue writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS to declare the action of the 1st respondent in interfering in civil disputes and compelling the petitioner to execute the sale deed in favour of 5th respondent and thereby, harassing the petitioner without following the due process of law as arbitrary, illegal and violation of Article 21 of Constitution of India and consequently direct the respondent Police not to interfere in civil dispute in the interest of justice.”

3. The main grievance of the petitioner is that respondent No.1 is pressurizing him to execute a registered sale deed in favour of respondent No.5 in respect of land admeasuring Ac.10.04 guntas in Sy.No.152/A and Sy.No.151/A situated at Vemulakonda village, Nalgonda district.

4. Respondent No.1 filed a counter affidavit stating that the son of respondent No.5 filed a complaint on 28.10.2014 stating that on 5.9.2014, his father purchased agricultural land admeasuring Ac.10.04 guntas in

Sy.No.151/A within the revenue limits of Vemulakonda from the petitioner and paid a sum of Rs.1,60,000/- out of Rs.1,85,000/- towards sale consideration. However, the petitioner is not taking the balance amount and executing the registered sale deed. Therefore, the complaint was lodged against the petitioner on the ground that the act of not receiving the balance amount and executing the sale deed amounts to cheating. In that connection, Cr.No.152 of 2014 under Section 420 IPC was registered on the file of Valigonda P.S. on 28.10.2014. Except interrogating the petitioner in respect of the above said crime leading to filing of a final report under Section 173 of Cr.P.C., respondent No.1 has neither harassed nor threatened the petitioner to execute a registered sale deed in favour of respondent No.5. The petitioner was also not summoned to the police station and was never detained for hours together in the police station.

5. In the light of the above said statements made in the counter affidavit by respondent No.1 on oath, for which no reply has been filed, this Court is of the opinion that no further orders are required in the Writ Petition.

6. Accordingly, Writ Petition is closed.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

P. KESHA VA RAO,J

Date: 8.11.2018

KPM

