

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.39212 of 2018

ORDER:-

When the matter is taken up, the written instructions furnished by the Sub-Inspector of Police, Budarayavalasa Police Station, Vizianagaram District, dated 05.12.2018, are placed on record by the learned Government Pleader. The said instructions read as under:-

"It is submitted that the petitioners contended that the respondent No.5 Station House Officer, Budarayavalasa Police Station, Vizianagaram District, interfered with the civil dispute between the petitioners and the respondent No.6 Yelakala Eeswaramma and tried to dispossess them from the possession and enjoyment of the lands under Sy.No.78P, admeasuring Ac.5.20 cents, situated at Ramayavalasa village, Merakamudidaam Mandal, Vizianagaram District, is incorrect, baseless, far from truth and has been created for the purpose of filing the present Writ Petition.

It is submitted that the 5th respondent did not interfere with the civil dispute as alleged by the petitioners at any point of time.

It is submitted that the allegations of the petitioners that the 6th respondent influenced the 5th respondent and in turn the 5th respondent summoned the petitioner No.1 to the Police Station and asked him to vacate the said lands and hand over the same to the respondent No.6 is incorrect and baseless.

It is incorrect to say that at the influence of the respondent No.6, the 5th respondent harassed the petitioners and asked them to sign on blank papers, hence denied. It is submitted that the 5th respondent did not harass or tried to obtain signatures of the petitioners on any papers, as alleged by the petitioners.

It is also incorrect to say that the 5th respondent summoned the petitioners through staff on 29.10.2018 and asked them to put their signatures on some papers, hence denied.

It is submitted that as per the writ averments, there was a civil dispute between the petitioners and the respondent No.6 in respect of the lands under Sy.No.78P, admeasuring Ac.5.20 cents, situated at Ramayavalasa village, Merakamudidam Mandal,

Vizianagaram District, for which the Police nothing to do. The petitioners unnecessarily involving the Police into civil dispute.

It is submitted that as per the station records, no criminal cases are pending against the petitioners on the file of respondent No.5 Station House Officer, Budarayavalasa Police Station, Vizianagaram District.

It is submitted that the contention of the petitioners against the respondent No.5 Station House Officer, Budarayavalasa Police Station, Vizianagaram District, are incorrect and baseless. The Writ Petition is devoid of merits and liable to be dismissed against the respondent No.5."

It is submitted by the learned Counsel appearing for R.6 that in a civil suit filed by the 6th respondent, there is an injunction Order.

Accordingly, the Writ Petition is disposed of, by placing on record the said instructions furnished by the Sub-Inspector of Police, Budarayavalasa Police Station, Vizianagaram District, dated 05.12.2018, 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:20.12.2018
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