

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.39801 of 2018

ORDER:-

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

“It is submitted that on a complaint, dated 25.11.2015, from one Baviri Ramulamma, a case in Cr.No.92/2015 was registered for the offences under Sections 447, 427 and 379 r/w 34 I.P.C., against 1st petitioner and 3 others and issued F.I.R. The Sub-Inspector of Police, Burja P.S. after completion of investigation, charge sheet is filed before the Court of the Judicial Magistrate of First Class, Amadalavalasa and the Judicial Magistrate of First Class, Amadalavasa assigned C.C.No.144/2016 and the case is pending trial.

It is submitted that the writ petitioners filed a civil suit O.S.No.151/2007 before the Junior Civil Judge at Amadalavasa and the Hon'ble Junior Civil Judge at Amadalavasa, dismissed the suit on 11.09.2012. Aggrieved by the dismissal of O.S.No.151/2007, the writ petitioners were carried in Appeal Suit No.109/2012 before the Family Court-cum-III Additional District & Sessions Judge, Srikakulam, and the Hon'ble Judge dismissed A.S.No.109/2012 on 24.04.2015 and the interim injunction granted earlier also vacated.

It is submitted that the writ petitioner filed the present Writ Petition with false and baseless allegations to stall the criminal proceedings in C.C.No.144/2016 on the file of the Judicial

Magistrate of First Class, Amadalavasa, Srikakulam District.

It is submitted that the writ petitioner did not approach the Hon'ble Court with clean hands and hence, the writ petition is devoid of merits and liable to be dismissed.”

Accordingly, the Writ Petition is disposed of, by placing on record the said instructions furnished by the Sub-Inspector of Police, Burja Police Station, Srikakulam District, 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.

Date: 18.12.2018
smr

A.V.Sesha Sai, J

