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

WRIT PETITION No.40541 of 2018

ORDER:

Heard learned counsel for the petitioners 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 12.11.2018, furnished by the Station House Officer, Alampur Police Officer, Gadwal District, 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:

> *"At the outset, it is submitted that the 3rd respondent i.e. Alampur Police are not interfering in civil disputes The petitioners were not called to the police station repeatedly as alleged in the affidavit. The petitioners were also not threatened to deliver possession of the subject lands to the 4th respondent. The said allegations are false, baseless and hereby denied. The allegation in para-13 of the affidavit that the 4th respondent is trying to dispossess the petitioners illegally from the subject lands with the help of the 3rd Respondent is false, baseless and hereby denied. The 3rd respondent is not extending any help to the 4th Respondent much less for dispossession of the petitioners. It is false to state in para-14 that the 3rd Respondent at the instance of the 4th Respondent may foist false case against the petitioners.*
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> *It is pertinent to submit here that on 21.6.2018 the 4th Respondent B. Giranna has given a petition dated 21.6.2018 with PS Alampur, Jogulamba Gadwal District stating that by an order of the Court he was declared owner of the subject lands and an injunction order was granted against 1) B.Lakshmidevamma and her son 2) B.Srinivasulu by the Hon'ble Senior Civil Judge, Gadwal. Inspite of the same, the said 2 persons are threatening him not to enter the subject lands and if so, he will be beheaded. He is not feeling well, thereby he has given the said land on lease and the leaseholders are doing agricultural operations because of the rainy season. On 20.6.2018 B. Srinivasulu threatened them. He requested to take necessary action in the matter.*
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> *It is submitted that, based on the above petition, an entry in the General Diary of the Police Station was made on the same day. The enquiry revealed the subject matter is purely civil in nature. The 4th Respondent filed O.S.No.12/2012 against the petitioners herein before the Court of Senior Civil Judge at Gadwal for declaration of title in respect of the subject property. The Hon'ble Court*

rendered judgment on 19.1.2018 declaring the 4th Respondent's title over the plaint schedule property and granting consequential injunction against the Petitioners herein restraining them not to interfere with the possession and enjoyment of the suit schedule property by the Petitioners herein i.e., the property mentioned by the petitioners in the present Writ Petition. Since the Hon'ble Court declared the title of the 4th Respondent in respect of the subject property, after enquiry he was informed that the Police cannot interfere in the matter and he may approach the concerned Court for appropriate reliefs.

It is submitted that, except conducting petition enquiry, the Police have not interfered in civil dispute as alleged by the petitioners".

Eventually a request is made by the learned counsel for the petitioners to dispose of the Writ Petition by placing on record the above instructions.

Accordingly, Writ Petition is closed, by placing on record the above instructions. There shall be no order as to costs.

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

A.V. SESHA SAI, J

03rd December, 2018
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