

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.3214 OF 2019

ORDER

The petitioner in this writ petition alleges that the official respondents, at the instance of unofficial respondent No.7, are calling her to the police station and insisting her to handover her minor child Sri Sai Krishna, aged 9 years to the 7th respondent.

The Station House Officer, Police Station, Mogullapally, filed counter affidavit on behalf of official respondents and while denying the allegations of the petitioner, stated as under:

"4. It is respectfully submitted that the respondent No.7 lodged a complaint on 27.01.2019 with the respondent No.5, stating that the marriage of brother of the respondent No.7 namely Erram Raju Vijender Raju was performed with the petitioner herein and during the wedlock one child Sai Krishnam Raju was born. After the date of the said Erram Raju Vijender Raju, the said child was under the custody of the respondent No.7 being the guardian. On 27.01.2019 the petitioner has taken away the said child without informing the respondent No.7. It is submitted that pursuant to the complaint of the respondent No.7, the respondent No.5 called the petitioner for the purpose of enquiry and the enquiry revealed that the said child was minor, hence the respondent No.5 suggested the respondent No.7 to seek redress of their dispute before the competent court or family elders. In this connection entry was made into the General Diary.

5. It is respectfully submitted that except receiving the complaint from respondent No.7 and enquiring into, the respondents 5 and 6 did not insist the petitioner to handover the said child to the respondent No.7 at any point of time.

6. It is respectfully submitted that the contention of the petitioner that the respondent No.5 called the petitioner to the police station at the instigation of respondent No.7 or else the petitioner will be implicated in false case, is incorrect, baseless, far from truth and has been created for the purpose of filing the present writ petition."

No reply affidavit is filed by the petitioner.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home.

From the averments made in the counter affidavit it is clear that the official respondents have denied the allegations of the petitioner and stated that they have advised the parties to settle the issue before the competent civil court or family elders and to that effect notice was sent to the petitioner through registered on 22.02.2019 and a entry was also made in the General Diary.

Recording the averments made in the counter affidavit, writ petition is disposed of.

Interlocutory applications pending, if any, shall stand closed. No order as to costs.

A.RAJASHEKER REDDY,J

DATE:04—06—2019

AVS

