

HONOURABLE SRI JUSTICE P. KESHA VA RAO

Writ Petition No. 459 of 2014ORDER:

The prayer sought in the writ petition is as under:

“For the reasons stated in the accompanying affidavit, it is prayed that the Honourable Court may be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of MANDAMUS declaring the action of the 3rd respondent and his subordinates in interfering with the civil and religious matters harassing the petitioners summoning them to the police station without any fault pressurizing to vacate the office of the Mujawarship without following due process of law and without any court order at the behest of the respondent Nos. 4 and 5, as illegal, arbitrary, capricious and mala-fide without any authority amounting to interfering with the civil matters contrary to various judgments rendered by this Honorable Court not only violative of principles of natural justice but also violative of Article 21 of Constitution of India and pass such other order or orders as this Honourable Court deems fit and proper in the circumstances of the case.”

2. The main grievance of the petitioners in the present writ petition is that the 3rd respondent is interfering with religious affairs, which is a civil matter and pressurizing the petitioners to vacate the office of the Mujawarship at the behest of respondent Nos. 4 and 5.

3. Learned Government Pleader placed on record the written instructions dated 13.01.2014 submitted by the Sub-Inspector of Police, Yedpally Police Station, Nizamabad District i.e. 3rd respondent herein and the same are made a part of the record.

4. A perusal of the written instructions would reveal that the 3rd respondent neither harassed nor threatened the petitioners and never interfered with the civil and religious matters between the petitioners and the unofficial respondent Nos. 4 and 5 by calling the

petitioners to the police station. As of now, no case whatsoever is registered against the petitioners as well as the respondent Nos.4 and 5 on the file of the 3rd respondent police station. It is also stated in the written instructions that the respondent Nos.4 and 5 never approached the Station House Officer, Yedpally Police Station and never filed any complaint. It is further stated that the present writ petition has been filed as a precautionary measure if the respondent Nos.4 and 5 or anybody lodge complaint against the petitioners and that the police should not take any action.

5. Taking the above said facts into consideration, this Court is of the opinion that there are no merits in the writ petition and the same is liable to be dismissed.

6. Accordingly, the writ petition is dismissed. There shall be no order as to costs. Miscellaneous petitions, if any, shall stand closed.

P. KESHA VA RAO, J

Date: 27.08.2019.
ccm

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