

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.8765 of 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner, seeking a Writ of Mandamus, declaring the action of the respondents, particularly the 4th respondent/Station House Officer, Lingala Ghanapuram Police Station, Jangaon District, in interfering in the civil matters and calling the petitioner to the police station and pressurizing him to settle the matter with the unofficial 5th respondent in respect of petitioner's agricultural land admeasuring Acs.0.32 guntas in Survey No.237 situated at Nellutla Village, Lingala Ghanapuram Mandal, Jangaon District, as illegal, unconstitutional and for a consequential direction to not to harass the petitioner and not to call him to the police station.

2. Heard the learned counsel for the petitioner, the learned Assistant Government Pleader for Home representing the respondents 1 to 4 and perused the record.

3. It has been contended on behalf of the petitioner that there is a land dispute between the petitioner and the 5th respondent. The petitioner filed an appeal before the Revenue Divisional Officer, Jangaon, questioning the acts of the revenue authorities in mutating the name of the 5th respondent in the revenue records in respect of the land belonging to him. The said appeal was dismissed by the Revenue Divisional Officer, Jangoan, vide order, dated 27.08.2018, passed in Case No.1/04/2018. Aggrieved by the same, the petitioner preferred a Revision before the Joint Collector at Jangoan, and the same is pending. It is also contended that the petitioner is

unnecessarily being called to the police station and is being harassed to settle the matter with the 5th respondent.

4. The learned Assistant Government Pleader for Home representing the respondents 1 to 4, on written instructions, would submit that on a report lodged by the 5th respondent, a case in Crime No.34 of 2019 of Lingala Ghanapur Police Station, Warangal Commissionerate, was registered against the petitioner, who is shown as accused No.1 in the said crime, for the offences punishable under Sections 447, 427, 506 read with 34 of IPC and the said criminal case requires investigation.

5. Under these circumstances, the presence of the petitioner is required for investigation, calling to police station cannot be faulted. However, the respondent No.4/Station House Officer, Lingala Ghanapuram Police Station, Jangoan District, is directed to adhere to the investigation of the case as per the provisions enumerated in the Code of Criminal Procedure, 1973.

6. With the above direction, this Writ Petition is disposed of at the stage of admission. There shall be no order as to costs.

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

Dr. SHAMEEM AKTHER, J

24th April, 2019
Bvv