

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.8882 OF 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

“... to issue a writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the in-action of respondent No.5 in not registering the complaint dated: 04-04-2019.”

2. Heard learned counsel for the petitioners and the learned Assistant Government Pleader for Home, appearing for respondent Nos.1 to 6, and perused the record.

3. Learned counsel for the petitioners would contend that the petitioners are being unnecessarily called to the police station. The police are interfering in civil litigation between the petitioners and respondent No.7. The petitioners have lodged a report, dated 04.04.2019, alleging commission of cognizable offences by the offender, but, no action is taken yet on that report. Hence, the present Writ Petition is filed.

4. There is no denial by respondent/police officials with regard to lodging report, dated 04.04.2019. Under these circumstances, respondent No.5/Station House Officer, Vanasthalipuram Police Station, Rachakonda Commissionerate, is directed to examine the report, dated 04.04.2019, of the petitioners, if any, lodged, as contended, and take action in terms of the provisions of the Code of Criminal Procedure, 1973.

As far as the alleged interference of the police with the civil disputes between the petitioners and respondent No.7 is concerned, it is a question of fact. It cannot be addressed under Article 226 of the Constitution of India. However, the police concerned are cautioned not to interfere in civil disputes between the petitioners and respondent No.7.

5. With the above observations and directions, the Writ Petition is disposed of.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

April 25, 2019.
MD

Dr. SHAMEEM AKTHER, J

