

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.9747 of 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner, seeking a Writ of Mandamus to declare the action of the 2nd respondent/Assistant Commissioner of Police, Bellampally, Mancherial District, in harassing the petitioner by calling him to his office without any reason and threatening him to settle the matter with the unofficial respondents 3 and 4 as illegal and arbitrary and consequently direct the 2nd respondent not to harass the petitioner by calling him to his office, without following due process of law.

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

3. It has been contended on behalf of the petitioner that there are some monetary disputes between the petitioner and respondent No.4, which were settled long back. Without there being registration of crime or any application to register crime or any other criminal case being pending against the petitioner, the petitioner is called by the 2nd respondent/Assistant Commissioner of Police, Bellampally, Mancherial District, from a mobile number and is being threatened and harassed to settle the issues with the unofficial respondents 3 and 4.

4. The learned Assistant Government Pleader for Home representing the respondents 1 and 2 opposed the relief sought by the petitioner.

5. As per the submissions of both sides, there is no criminal case pending against the petitioner as on today. When there is no criminal case pending against the petitioner for any offences, it is improper on the part of the 2nd respondent/Assistant Commissioner of Police, Bellampally, Mancherial District, to call the petitioner to his office and harass him.

6. Under these circumstances, the 2nd respondent/Assistant Commissioner of Police, Bellampally, Mancherial District, is restrained from calling the petitioner by telephone or by any other means and harass him. It is made clear that if a criminal case is already registered against the petitioner, the police concerned are entitled to conduct investigation, in accordance with law.

7. With the above observation/direction, this Writ Petition is disposed of. No costs.

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

30th April, 2019
Bvv

Dr. SHAMEEM AKTHER, J