

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.23939 of 2013

ORDER:

Heard learned counsel for the petitioners as well as respondent No.4.

2. The prayer sought in the writ petition is as under:-

“...to issue a writ, order, or direction, more particularly one in the nature of writ of mandamus declaring the action of the 3rd respondent in interfering in the day to day affairs of the company and the disputes among brothers which are purely civil in nature, is arbitrary, illegal, without jurisdiction and unconstitutional violative of Art.19 and 21 of the Constitution and consequently direct the 3rd respondent not to interfere or cause obstructions in the production and smooth functioning of petitioner’s company unit at Satamrai in Sy.Nos.655 and 656, Gaganpahad, Ranga Reddy District...”

3. The 3rd respondent filed a counter-affidavit denying the allegations made in the affidavit filed in support of the writ petition and contended *inter alia* that the respondent police never interfered in the affairs of the Company and causing hurdles in smooth functioning of the company. In fact, the 4th respondent herein lodged a complaint against the petitioners on 19.01.2013 and lodged another complaint stating that he is Managing Director of M/s.BRS Refineries Private Limited. During the course of enquiry of current status of Directors of the Company, the respondent police found that the Managing

Director is different and one more Director is added. Except making averments in a casual manner, the 4th respondent did not furnish any documentary evidence in support of the allegations. Therefore, the complaint lodged by the 4th respondent lacks requisite preliminary evidence. It is also stated in the counter-affidavit that after coming to know about lodging of the complaint by the 4th respondent against the petitioners, the present writ petition is filed with baseless allegations and to wreck vengeance against the 4th respondent. It is specifically stated in the counter that the respondent police never interfered with the day-to-day affairs of the petitioner company.

4. In view of the specific averments made in the counter-affidavit, this Court is of the opinion that there is no cause for the petitioners to file the present writ petition.

5. Recording the submissions made by the 3rd respondent in the counter-affidavit, the writ petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

8th November 2019

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P. KESHA RAO, J