

HON'BLE SRI JUSTICE T. VINOD KUMAR

WRIT PETITION No.22082 of 2019

ORDER:

This writ petition is filed by the petitioners challenging the high-handed action of respondent No.5 – SHO, Vemulapally Police Station, Nalgonda District, in threatening the petitioners to handover their lands to unofficial respondent No.6, as arbitrary and illegal, and consequently sought a direction to official respondent Nos.2 to 5 to take necessary action as per law against respondent No.6 for illegally trespassing into their lands.

Heard Smt. Tejashwini, learned counsel for the petitioners and the learned Assistant Government Pleader for Home.

Learned Assistant Government Pleader for Home, on written instructions dt.01.10.2019, would submit that basing on the complaint of respondent No.6 - Katherapu Swarnalatha, a case in Crime No.90 of 2019 for the offences punishable under Sections 447, 323, 324, 504, 509, 506 r/w. Section 34 of IPC was registered against the petitioners in Vemulapally Police Station and that during the course of investigation, a Notice under Section 41(A) of Cr.P.C. was issued to the petitioners. In connection with investigation of the said crime, the petitioners were called to the Police Station and such appearance of the petitioners before the respondent authorities cannot be said to be threatening them to handover possession of their lands to respondent No.6, nor respondent No.5 is interfering in the civil disputes between the petitioners and respondent No.6, at any point

of time. The learned Assistant Government Pleader also submitted that earlier there is a case in Crime No.103 of 2018 for the offences punishable under Sections 447 and 427 of IPC was registered against petitioner No.2 on 04.08.2018 in Vemulapally Police Station and the same is pending and in order to prevent the police authorities from investigating into the above crimes, the petitioners have filed the present writ petition.

Inasmuch as a statement has been made by respondent No.5 that except in connection with the above crimes, which were registered against the petitioners, neither they are called to the Police Station nor coercing them to handover possession of their lands in favour of respondent No.6.

Having regard to the facts and circumstances of the case and recording the above said submission of the learned Assistant Government Pleader for Home, this writ petition is disposed of. No order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE T. VINOD KUMAR

29.10.2019.
Msr

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29.10.2019

Msr