

HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.28814 of 2013

ORDER:

There is no representation on behalf of the petitioners.

The prayer sought in the writ petition is as under:

“... to issue any appropriate writ, order or direction more particularly one in the nature of writ of mandamus declaring the impugned action of the 4th respondent as illegal, arbitrary and unconstitutional and consequently direct the respondents 1, 2 and 3 to take necessary steps in restraining the 4th respondent from interfering in the civil dispute without power and authority.”

Respondent No.3 filed a counter affidavit denying the averments made in the affidavit filed in support of the writ petition and contended *inter alia* that the 5th respondent herein has lodged a complaint on 08.10.2013 with respondent No.3 stating that in the year 2006, he purchased the land in Sy.No.313 admeasuring Ac.2.34 guntas situated at Kyasampalli Village, Kamareddy Mandal, Nizamabad District from one Smt. Moina Farzana and the same was registered. On 25.09.2013, petitioner Nos.1 and 2 trespassed into his land and damaged the Soya crop and threatened him with dire consequences. Pursuant to the said complaint, a case in Crime No.290 of 2013 for the offence under Sections 447, 427 and 506 IPC read with Section 34 IPC was registered against the 2nd petitioner and two others on the file of Devenpalli Police Station, Kamareddy Mandal, Nizamabad District and investigation was taken up. Except registering the above said crime against the petitioners, the respondent police have

never interfered with the said land at any point of time. The allegation of the petitioners that the respondent police have threatened and abused them in filthy language and informed them not to harvest the standing Soya Bean crop and to settle the civil dispute between them and the 5th respondent by paying amount or else the respondent police will implicate them and their family members in false cases is also denied. The respondent police have never harassed, threatened and interfered with the civil dispute between the petitioners and the 5th respondent with regard to the subject land.

In spite of filing of the counter affidavit, no reply affidavit is filed rebutting the averments made in the counter affidavit. As such, this Court is of the opinion that there are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

Miscellaneous petitions, if any, shall also stand dismissed.

P. KESHA VA RAO, J

Date: 02.12.2019.
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