

THE HONOURABLE SRI JUSTICE P.KESHA RAO

WRIT PETITION NO.14397 OF 2012

ORDER:

There is no representation on behalf of the petitioners.

Heard learned Government pleader for Home.

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

“.....directing the respondent No.1 to 3, not to interfere and not to disturb in enjoying actual, peaceful and physical possession in his property, in any manner whatsoever, and further declare the act of the Respondent No.1 to 3 in interfering the personal livelihood of petitioner by the Respondent No.1 to 3, as illegal and unconstitutional, or pass such other order or orders as this Hon'ble Court deem fit and proper in the circumstances of the case, in the interests of justice.”

3. The 3rd respondent filed counter affidavit specifically denying the allegations made in the affidavit filed in support of the writ petition, against the respondent-police and contended inter alia that the 3rd respondent never interfered in the civil disputes of petitioners with the respondents 4 and 5. They never interfered with the physical possession and enjoyment of the petitioners in respect of the subject property. It is also mentioned that the 3rd respondent is bound by interim direction passed by this Court on 16.05.2012. It is also specifically mentioned that petitioners never approached the 3rd respondent-police station and not lodged any complaint against the respondents 4 and 5.

4. Though a counter affidavit is filed denying the allegations made in the affidavit filed in support of the writ petition, no reply affidavit is filed to rebut the averments made in the counter affidavit.

5. In view of the above, this Court is of the opinion that there are no merits in the writ petition and the same is liable to be dismissed.

6. Accordingly, the Writ Petition is dismissed. No order as to costs.

Pending miscellaneous petitions, if any, shall also stand dismissed.

P.KESHAVA RAO,J

13th September, 2019
Rds



THE HON'BLE SRI JUSTICE P.KESHAVA RAO



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Dated:13.09.2019

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