

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.24523 of 2013

ORDER:

There is no representation on behalf of the petitioner.

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

“...to issue any writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the official respondents involving in civil dispute, calling the petitioner and his family members to the Police Station II Town Adilabad, Adilabad detaining illegally is in violation of Articles 14, 21 and 300-A of the Constitution of India. Consequently direct the official respondents restraining themselves from interfering into civil dispute which is subject matter of the O.S.No.58 of 2013 on the file of Senior Civil Judge, Adilabad and pass...”

3. Learned Government Pleader appearing for the respondent police placed on record the written instructions, dated 27.08.2013, issued by the Assistant Sub-Inspector of Police, II Town Police Station, Adilabad.

4. From the perusal of the said written instructions, it is revealed that the respondent police never interfered with the civil dispute between the petitioner and Md. Zubair Ahmed, i.e., the 5th respondent herein, in the land in survey No.33/A/1 situated at Sanjaynagar, Adilabad Town. In fact, the brother of the 5th respondent viz., Md.Sajid Ahmed, lodged a complaint on 15.08.2013 with the 2nd respondent police stating that the petitioner herein and others entered

into his land by breaking the poles fencing and abused in filthy language and requested to take necessary action. Based on the said complaint, the respondent police entered the same in General Diary and after enquiry it was revealed that there was a civil dispute between the petitioner herein and the brother of the 5th respondent with regard to the subject land in O.S.No.58 of 2013 on the file of the Court of Senior Civil Judge, Adilabad. Since the matter is civil in nature, the respondent police suggested the complainant to approach the Civil Court and not to create any law and order problem. The allegation of the petitioner that at the instance of the 5th respondent, the respondent police have harassed and detained the petitioner in the police station and threatened to vacate the subject land is specifically denied. The respondent police never interfered with the civil dispute between the petitioner and Md Zubair Ahmed i.e., the 5th respondent herein, at any point of time.

5. In view of the specific allegations made in the written instructions, 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.

Miscellaneous petitions pending, if any, shall stand dismissed.

No costs.

8th November 2019

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P. KESHA VA RAO, J