

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.2055 of 2020

ORDER:

The present writ petition is filed to declare action of the third respondent in interfering with the day to day affairs of the petitioner and calling the petitioner to the police station for a settlement with the respondent No.4 in the matrimonial matter without any authority and jurisdiction, as illegal and unconstitutional and consequently to direct the respondents not to interfere with the day to day affairs of the petitioner by calling the petitioner and his family members to the police station.

2. Heard learned counsel for the petitioner and the learned Assistant Government Pleader for Home for respondents 1 to 3.

3. Learned Assistant Government Pleader for Home on written instructions dated 03.02.2020, a copy of which is placed on record, submits that respondent No.4 who is a physically challenged person and wife of the petitioner went to the Women Police Station on 27.01.2020 at 18.30 hours and lodged a Telugu written petition stating that her marriage was arranged by the elders of both the families and her marriage was performed with the petitioner in the year 2017. Thereafter, the petitioner having lived with her for a year, started harassing her by referring to her physically challenged state and that she is not fit for leading matrimonial life and threatened her with dire consequences and thus requested the authorities to take necessary action against her husband and do justice as per law.

4. By the said instructions, the learned Assistant Government Pleader further submits that on receipt of the above complaint, online receipt was issued and the case was entrusted to one Sub-Inspector of Police and

since the complaint relates to matrimonial matter, a phone call was made to the petitioner summoning him to attend Women Police Station, Khammam for counseling, upon which the petitioner also replied that he will come to Women Police Station, Khammam on 30.01.2020. Despite the petitioner giving undertaking to appear before the Women Police Station, Khammam on 30.01.2020, did not attend the counseling on the said date and on the other hand has filed the present writ petition. Learned Assistant Government Pleader further submits that the third respondent authority was only performing the legitimate duty by registering the complaint made by the fourth respondent and called the petitioner only for attending counseling at the Police Station. The petitioner after knowing that the complaint has been made, in order to, prevent the authorities from investigating into the matter and to prevent any action being taken against the petitioner based on the complaint made by the fourth respondent, has approached this Court by making false averments against respondent No.3.

5. Having regard to the facts of the matter and considering the submissions made by the learned Assistant Government Pleader for Home, this Court is of the view that the respondent authorities shall act in accordance with law while investigating into the crime registered against the petitioner based on the complaint made by the fourth respondent.

6. With the observations as above, the writ petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE T.VINOD KUMAR

Date:11.02.2020
grk