

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.2997 of 2020

ORDER:

The present Writ Petition is filed to declare the extra vires acts of the 6th respondent holding the office of the 5th respondent at the instance of the 7th respondent in putting petitioner's life and the life of his family members under threat in order to oblige the terms of 7th respondent by abusing the office of the 5th respondent, as being arbitrary, illegal and in violation of Article 21 of the Constitution of India.

2. Heard Sri P. Vamsheedhar Reddy, learned Counsel for the petitioner and learned Assistant Government Pleader for Home.

3. Learned Assistant Government Pleader for Home, on written instructions dated 14.02.2020, submits that in so far as the complaint lodged by the petitioner on 24.01.2020 with the 4th respondent authority is concerned, his marriage was performed with respondent No.7 on 25.04.2012 and due to differences between them, the petitioner filed divorce O.P. No.1649 of 2019 before the Family Court, Ranga Reddy District. By the said complaint, the petitioner further stated that respondent No.7 left the house of the petitioner on 10.01.2020 to Rajahmundry for Pongal festival. Thereupon the petitioner put lock to his house on 23.01.2020, when the parents of the 7th respondent entered into the said house by breaking open the lock. The petitioner requested the respondent No.4 to direct the respondent No.7 and her family members not to interfere in the life of the petitioner and to direct the 7th respondent to vacate the said house. Learned Assistant

Government Pleader for Home, on the basis of the written instructions, further submits that pursuant to the complaint made by the petitioner, the respondent No.4 made G.D. entry and during the course of enquiry, it revealed that there is a matrimonial dispute between the petitioner and the respondent No.7. It is further revealed that the respondent No.7 lodged a complaint with respondent No.5 against the petitioner on 24.01.2020. It is stated that having received complaint from the respondent No.7, counseling was conducted between them and the petitioner attended to the counseling on 25.01.2020 and further counseling date was fixed on 08.02.2020. Thereafter, as the counseling failed, the 5th respondent registered a case in Crime No.18 of 2020 dated 12.02.2020 against the petitioner under Sections 498A, 323, 504 IPC and Section 3 and 4 of Dowry Prohibition Act. Since, a case is registered against the petitioner, the respondent police shall investigate into the same in accordance with law.

4. In so far as the claim of the petitioner seeking a direction to the 4th respondent to direct the 7th respondent and her family members to evict from the said house, it is stated that a notice with regard to action taken on the complaint has been sent to the petitioner vide registered letter No.RN163134148IN and in so far as divorce O.P. is concerned, on behalf of the respondent police, it is stated that the said authorities are not interfering in their matrimonial matters.

5. Having regard to the said submission made and in so far as evicting the 7th respondent from the petitioner office is concerned, the respondent authorities having issued a notice informing the

petitioner as to the action taken on the complaint made, no further orders need be passed in this Writ Petition except observing that in the event if the petitioner being aggrieved by the said notice, it is open for the petitioner to approach the appropriate forum to avail the remedies in accordance with law.

6. Subject to the above, the Writ Petition is disposed of. No order as to costs.

7. As a sequel thereto, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE T.VINOD KUMAR

Date: 24.02.2020

MRKR

