

THE HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.33508 of 2014

ORDER:

Heard learned counsel for the petitioner as well as learned Government Pleader appearing for the respondents 1 to 4.

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

“...to issue a Writ or order or direction, more particularly one in the nature of Writ of Mandamus, declaring the highhanded action of the 4th respondent in interfering in a Civil Matter in respect of the land admeasuring Ac.19.32 cents in Sy.No.104/2 at Ramagopalapuram Village, Bhadrachalam Mandal, Khammam District and threatening me with dire consequences as bad arbitrary, illegal and unconstitutional and consequently direct the respondents No.1 to 4 herein not to interfere with the peaceful possession and enjoyment of the petitioner in respect of the land admeasuring Ac.19.32 cents in Sy.No.104/2 at Ramagopalapuram Village, Bhadrachalam Mandal, Khammam District and pass such other and further orders, as this Hon’ble Court may deem fit and proper in the circumstances of the case in the interest of justice.”

3. Learned Government Pleader placed on record the written instructions issued by the Inspector of Police, Bhadrachalam Rural Police Station, Khammam District.

4. From a perusal of the said written instructions, it is revealed that the as the records of the Station, one Smt. Yepuri Jayalakshmi W/o.late Satyanarayana R/o.Nellipaka, Bhadrachalam Mandal, approached the 4th respondent Police Station and lodged a complaint on 30.10.2014 against the petitioner herein and others, since they criminally trespassed into the land in Survey No.15/2/P/A admeasuring an extent of Ac.5.52 cents situated at Narsingapeta village of Bhadrachalam Mandal and also threatened her with dire consequences. Pursuant to the said complaint, a case in Crime No.105

of 2014 for the offences under Sections 447 and 506 IPC was registered on the file of the 4th respondent on 30.10.2014 and investigation was taken up. In the said crime, the petitioner herein was shown as accused No.1 along with other accused. At this stage, the petitioner herein submitted a petition, dated 30.10.2014, to the Assistant Superintendent of Police, Bhadrachalam, through post, and requested to take necessary action against the 5th respondent herein and others as they criminally trespassed into the land admeasuring to an extent of Ac.19.32 cents in Survey No.104/2 situated in Ramagopaloapuram Village, Bhadrachalam Mandal and cut the fields. Upon receipt of the said complaint, the same was forwarded to the 4th respondent for necessary action. On receipt of the said petition through proper channel, a case in Crime No.106 of 2014 was registered against the 5th respondent and others on 03.11.2014 and investigation was taken up. In connection with the above said cases, the Investigating Officer was trying for the petitioner for recording his statement. However, instead of co-operating with the investigating agency, the petitioner filed the instant writ petition with all baseless allegations. Further, it is mentioned that on coming to know about the registration of the above case in Crime No.105 of 2014, showing the petitioner as accused No.1, he did not turn up before the respondent police and on the other hand filed the present writ petition with baseless allegations. Mere registration of the above criminal cases and proceeding with the investigation of the case, as per law, does not amount to interference of the respondent police in to the civil disputes.

6. In that view of the matter, 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 pending, if any, shall stand dismissed.

P. KESHA VA RAO, J

2nd January 2020

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