

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR



PRESENT

THE HONOURABLE DR JUSTICE K MANMADHA RAO ✓

WRIT PETITION NO: 16246 OF 2016 ✓

Between:

Munnam Ramakrishna Reddy, S/o. Polireddy, Aged about 52 years, Hindu,
R/o Kukkalavaripalem Village, Rajugangarupalem, Prakasam District.

...PETITIONER ✓

AND

1. The state of Andhra Pradesh Through its Principal Secretary, (Home) Secretariat, Hyderabad.
2. The Superintendent of Police, Prakasam District, Ongole,
3. The Sub Inspector of Police, Chinaganjam PS, Chinaganjam Prakasam District.

...RESPONDENTS ✓

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to pass an order or direction or writ more particularly in the nature of writ of Mandamus by duly declaring the action of the third respondent as illegal and highhandedness and arbitrary and consequently

direct the respondent not to interfere with the peaceful possession of his property and civil disputes in the interest of justice.

I.A. NO: 1 OF 2016(WPMP. NO: 20033 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents not to interfere with the civil disputes of the petitioner, pending disposal of the main writ petition, in the interest of justice.

Counsel for the Petitioner(s): SRI P RAMA SHARANA SHARMA (NONE APPEARED)

Counsel for the Respondents 1 to 3 : GP FOR HOME

The Court made the following: ORDER



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[3310]

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THE HONOURABLE DR JUSTICE K MANMADHA RAO

WRIT PETITION NO: 16246/2016

Between:

Munnam Ramakrishna Reddy

...PETITIONER

AND

The State Of Andhra Pradesh Through Its Principal
Secretary and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. P RAMA SHARANA SHARMA

Counsel for the Respondent(S):

1. GP FOR HOME (AP)

2. 15516/GP FOR HOME (AP)

The Court made the following Order:

This writ petition is filed declaring the action of the Respondent No.3 in interfering with the peaceful possession of his property in Survey No.348/6, Chinaganjam Mandal, Prakasam district, as illegal and arbitrary.

2. This Court vide order dated 12.05.2016 granted interim direction as follows:

"There shall be a direction to the police authorities not to interfere in the civil disputes relating to the petitioner or pressurize settlement thereof."

3. None appeared for the petitioner. Heard learned Assistant Government Pleader for Home appearing for the official respondents.

4. On hearing, learned Assistant Government Pleader for Home submits that the 3rd respondent filed counter-affidavit and further submits that basing on the elder sister of petitioner's complaint, a case in Cr.No.38 of 2016 under Sections 447, 427 read with 34 IPC has been registered against the petitioner/A5 and others on the file of 3rd respondent and investigated into. He further submits that the respondents police discharging their legitimate duties, maintaining the law and order to keep peace, tranquility and the 3rd respondent is the Investigating Officer in the above FIR, who visited the scene of offence, but it does not mean interference or harassment of the respondent police. Except investigating the above FIR with regard to above said land, the 3rd respondent never interfered with the civil disputes of the petitioner at any point of time and the Investigating Agency carried out only the criminal act of the accused persons in this case. He further submits that on 07.05.2016, the police personnel came to said site, abused the petitioner in filthy language and asked to vacate the said property within 24 hours or else the petitioner will be implicated in false criminal cases are false allegations made by the petitioner. He further submits that except registering the above FIR and investigated into, the respondents police never interfered or threatened the petitioner to settle the dispute with the complainant at any point of time.

5. In view of the submissions made by learned Assistant Government Pleader for Home and upon perusing the counter affidavit filed by 3rd respondent, this Court is of the view that, nothing survives in the present writ petition for any further adjudication.

6. Accordingly, the writ petition is closed.

There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/- K J RAJA BABU
ASSISTANT REGISTRAR
NB
SECTION OFFICER

To,

1. One CC to SRI P RAMA SHARANA SHARMA Advocate [OPUC] ✓
2. Two CCs to GP for HOME, High Court of Andhra Pradesh. [OUT] ✓
3. Three CD Copies

Madhu

HIGH COURT

DATED:28/03/2024

ORDER

WP.No.16246 of 2016



CLOSING THE WP WITHOUT COSTS