

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION No.20585 OF 2023

ORDER:

This writ petition is filed seeking the following relief:-

“...to issue an appropriate Writ, order or direction, more particularly one in the nature of Writ of Mandamus, to declare the action of respondent Nos.2 and 3 in calling the petitioners to the police station without there being any sort of complaint or case registered against them as being illegal, arbitrary, unconstitutional and violative of Article 21 of the constitution of India and to grant such other relief or reliefs...”

2. Heard learned counsel for the petitioners and learned Assistant Government Pleader for Home appearing for the respondents. Perused the record.

3. The case of the petitioners is that they are permanent residents of Adilabad Town, Adilabad District and doing business in and around Adilabad Town. It is the specific case of the petitioners that on 29.07.2023 at about 11:00 P.M., the respondent-police came to the residence of the petitioners and forcibly obtained copy of Aadhar card and other documents insisting the petitioners to appear before respondent No.3.

4. Learned counsel for the petitioners vehemently contended that respondent No.3 is not having any power or authority to summon the petitioners to the police station and confine hours together without disclosing any reason or without registering any crime.

5. Learned Assistant Government Pleader for Home appearing for the respondents submits that one Anil Kumar has lodged a complaint stating that his property has been encroached by some persons and the petitioners were called for the purpose of enquiry. The respondents have not registered any case against the petitioners and if the presence of the petitioners is required for the purpose of investigation, they will follow the due procedure as contemplated under law.

6. In view of the said submissions, this Court deems it appropriate to dispose of the writ petition directing the respondents not to interfere with the civil rights of the petitioners in any manner and if the presence of the petitioners is required for the purpose of investigation in any crime, the respondents are directed to follow the due procedure as contemplated under law.

7. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C.V. BHASKAR REDDY

Date: 05.01.2024
ssp