

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

FRIDAY, THE TWENTY EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE



:PRESENT:

THE HONOURABLE SRI JUSTICE B V L N CHAKRAVARTHI

WRIT PETITION NO: 4923 OF 2025

Between:

Dasari Sree Hari, S/o. Raghavulu, Aged about 44 years, Occ. Private Employee R/o. D.No.32/126-2-A, Bandarkota Village, Machilipatnam, Krishna District.

Petitioner

AND

1. The State Of Andhra Pradesh, Rep.by its Principal Secretary - Home, Secretariat, Amaravathi at Velagapudi, Guntur District.
2. The Superintendent of Police, Machilipatnam, Krishna District.
3. The Station House Officer, Machilipatnam Police Station, Machilipatnam, Krishna District.
4. Talari Ramesh Kumar, S/o. Veera Raghavaiah, Aged about 56 years, Occ. Business, R/o. D.No. 13-1-200/1/103, Kamadhanu Towers, Balaji Swarnapuri Colony, Erragadda, Hyderabad.
5. Talari Ravindra Babu, S/o.Uma Maheswara Rao, Aged about 41 years, Occ. Business, R/o. D.No.1-7, Tadigadapa, Vijayawada, NTR 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 issue a Writ of Mandamus, or any other appropriate writ, order or direction, declaring the action of the 3rd respondent in interfering with the peaceful possession and enjoyment of the petitioner and threatening to handover the house bearing door No.32/126-2A of Bandarkota Village, Machilipatnam, Krishna District to the respondents 4 and 5 though there is a civil case pending between the petitioner and the respondents 4 and 5 as

illegal and arbitrary and violation of Articles 19, 21 of Constitution of India and consequently direct the respondents not to interfere with the peaceful possession and enjoyment of the petitioner and threatening to handover the house bearing door No.32/126-2A of Bandarkota Village, Machilipatnam, Krishna District

IA NO: 1 OF 2025

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 grant interim direction directing the 3rd respondent not to interfere with the peaceful possession and enjoyment of the petitioner and threatening to handover the house bearing door No.32/126-2A of Bandarkota Village, Machilipatnam, Krishna District.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of B V ANJANEYULU Advocate for the Petitioner and of GP FOR HOME for the Respondent Nos. 1 to 3.

The Court made the following ORDER:

Heard learned counsel for the petitioner.

Learned Assistant Government Pleader takes notice on behalf of the State and seeks time for getting instructions.

Considering the facts and circumstances of the case, respondent/Police are directed to follow due procedure established by law, if the impugned dispute is civil dispute.

List after two (02) weeks.

//TRUE COPY//

**SD/- B.PRASAD RAO
ASSISTANT REGISTRAR
SECTION OFFICER**

SECTION C.

To,

1. The Principal Secretary - Home, The State Of Andhra Pradesh, Secretariat, Amaravathi at Velagapudi, Guntur District. (by SPECIAL MESSENGER)
2. The Superintendent of Police, Machilipatnam, Krishna District.
3. The Station House Officer, Machilipatnam Police Station, Machilipatnam, Krishna District
4. Talari Ramesh Kumar, S/o. Veera Raghavaiah, Aged about 56 years, Occ. Business, R/o. D.No. 13-1-200/1/103, Kamadhanu Towers, Balaji Swarnapuri Colony, Erragadda, Hyderabad.
5. Talari Ravindra Babu, S/o. Uma Maheswara Rao, Aged about 41 years, Occ. Business, R/o. D.No.1-7, Tadigadapa, Vijayawada, NTR District. (Addressee Nos. 2 to 5 by RPAD)
6. One CC to Sri. B V ANJANEYULU, Advocate [OPUC]
7. Two CCs to GP FOR HOME, High Court Of Andhra Pradesh. [OUT]
8. **One spare copy**

JSS

HIGH COURT

BVLNC, J

DATED:28/02/2025

LIST AFTER TWO (02) WEEKS.

ORDER

WP.No.4923 of 2025

DIRECTION

