



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

[3521]

MONDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

WRIT PETITION NO: 10597/2026

Between:

AARUSH BUILDING MATERIAL PVT LTD, BALUSUPADU VILLAGE,
JAGGAIAHPET MANDAL, NTR DISTRICT REP BY ITS DIRECTOR
MARRI JAGANNADHAM S/O.SEETHA RAMAIAH,

...PETITIONER

AND

1. THE STATION HOUSE OFFICER, CHILLAKALLU POLICE STATION,
NTR DISTRICT.
2. THE INSPECTOR OF POLICE, JAGGAIAHPET CIRCLE,
JAGGAIAHPET, NTR DISTRICT.
3. THE COMMISSIONER OF POLICE, NTR COMMISSIONARATE,
VIJAYAWADA, NTR DISTRICT.
4. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL
SECRETARY, HOME DEPARTMENT, SECRETARIAT, VELAGAPUDI,
AMARAVATHI, GUNTUR DISTRICT.
5. KOTHA PURNACHANDRA RAO, .KOTHA PURNACHANDRA RAO
S/O.GOVINDA RAJU, AGED ABOUT 50 YEARS, OCC PROPRIETOR
OF SRI MARUTHI TRANSPORT, R/O.GARIKAPADU VILLAGE,
JAGGAIAHPET MANDAL, NTR DISTRICT

...RESPONDENT(S):

Counsel for the Petitioner:

P NAGENDRA REDDY

Counsel for the Respondent(S):

GP FOR HOME

The Court made the following:

ORDER:

The Writ Petition has been filed under Article 226 of the Constitution of India seeking the following relief:-

“...to issue a writ order or direction more particularly one in the nature of writ of Mandamus to declare the action of the Respondents No 1 and 2 in interfering with the civil dispute between the Petitioner and the Respondent No 5 without following due process of law and compelling the Petitioner to accept the illegal demand from the Respondent No 5 and further directing the Respondent No 5 to keep his lorries in front of the gate of the Petitioners Company and thereby preventing the vehicles to entire into the factory premises restraining the Petitioner from doing business activities as arbitrary illegal and in violation of Article 14 and 21 of the Constitution of India and consequently direct the Respondents No 1 and 2 not to interfere with the civil disputes between the Petitioner and Respondent no 5 without following due process of law and further direct the Respondents No 1 and 2 to initiate criminal prosecution against the Respondent No 5 for committing the offences of extortion and wrongful restraint and take further action for removal of the parked vehicles in front of the Gates of the Petitioner Company by the Respondent No 5 in the interest of justice...”

2. Heard the learned Counsel for the Petitioner and the learned Assistant Government Pleader for Home.

3. The Respondent Nos.1 and 2 are present.

4. Sri P. Nagendra Reddy, learned counsel for the petitioner, submits that the Respondent Nos.1 and 2 had interfered with the civil disputes pending between the petitioner and Respondent No.5 without following due process of law and are compelling the petitioner to accept the illegal demand of Respondent No.5, and further permitting Respondent No.5 to keep his lorries in front of the gate of the petitioner's company, thereby

preventing vehicles from entering into the factory premises and restraining the petitioner from carrying on business activities.

5. Sri P. Ajay Babu, learned Assistant Government Pleader, on instructions, submits that Respondent No.5 has been carrying on lorry transport business under the name and style of Sri Maruti Lorry Transport for the past 15 years and has been transporting building materials of Arush Building Materials Private Limited, belonging to the petitioner, on hire basis in the States of Andhra Pradesh and Telangana. For this purpose, Respondent No.5 used to obtain diesel on credit. It is submitted that an amount of approximately Rs.1,64,00,000/- became due towards lorry hire charges and diesel expenses. Despite repeated requests, the petitioner failed to clear the dues and kept postponing the payments. Due to pressure from creditors, Respondent No.5 was constrained to sell his agricultural land to discharge part of the debts. On 18.04.2026, when Respondent No.5 demanded repayment, the petitioner abused him in filthy language, threatened him, and thereby cheated him.

6. The learned Assistant Government Pleader further submits that, based on the complaints dated 18.04.2026 and 19.04.2026, and as the allegations disclose cognizable offences, Respondent No.1 registered a case in Crime No.71 of 2026 under Sections 318(4) and 351(2) of 'the

BNS' at Chillakallu Police Station, and the same is under investigation. It is also submitted that the police, upon receiving information, visited the petitioner's premises and tried to remove the obstructed lorry belonging to Respondent No.5; due to a mechanical issue, it could not be removed initially, but after rectification, the lorry was removed. Photographs in this regard are enclosed.

7. Be that as it may, when Respondent No.5 has extended his lorries for the purpose of the business of the petitioner, and as a result, the petitioner is said to be due more than Rs.1 crore, Respondent No.5 has an alternative efficacious remedy of issuing a legal notice requiring the petitioner to pay the said amount. If the petitioner does not choose to pay the amount, Respondent No.5 has an effective remedy of instituting a suit for recovery of the said amount.

8. Having regard to the entire facts and circumstances of the case, Respondent Nos.1 and 2 are directed not to interfere henceforth in the civil disputes pending between the petitioner and Respondent No.5 without following due process of law. It is not out of place to mention that Respondent No.2 has undertaken to submit the case file to the concerned Public Prosecutor for obtaining opinion to proceed further in the matter and for finalizing the case.

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

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

Dr.Y. LAKSHMANA RAO, J.

Date: 27.04.2026
RSI

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

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