

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA**W. P. No.15113 of 2026****ORDER:**

This Writ Petition filed invoking Article 226 of Constitution of India contending that at the instance of 9th respondent, the police are interfering with the peaceful and settled possession of the petitioners without any basis in respect of fish tanks situated in subject lands covered in Sy.Nos.88/4, 90/6, 87/2, 88/1, 89, 90/8, 90/9, 87/1, 87/3, 88/2, 88/3, 90/5, 92/2, 86/2, 95/2, 94, 84/4, 84/1, 95/2, 95/1, 86/1, 90/1, 91/2, 91/3, 85/2, 84/4-A, 84/2A, 93/1, 90/4, 93/5b, 93/5B, 90/3, 84/2, 92, 95/1, 85/2, 85/2, 93/2, 93/3, 93/4, 96/1, 90/5, 91/2, 91/1, 91/2, 84/3, 85/2, 84/2, 85/1, 852, 85/2, 84/1, 84/5, 85/2, 91/3, 93/5A, 96/2A, 96/3, 92 & 92 of Pamulapadu village and a specific attempt was made on 26.05.2026 and 29.05.2026. Hence, the petitioners are constrained to move this Writ Petition seeking directions in the form of Writ of Mandamus, directing the respondents-police officials, not to interfere with the petitioners' possession and enjoyment over the fish tanks.

2. The Hon'ble the Chief Justice is pleased to grant permission for House Motion and this Writ Petition has been assigned to this Bench.

3. Heard Sri G.L.Nageswara Rao, the learned counsel for the petitioners and Smt A.Jayanthi, learned Government Pleader for Home on behalf of the respondent Nos.1 to 8.

4. Learned counsel for the petitioners would submit by referring the averments made in the affidavit filed in support of the petition that, the petitioners did not lease out the property to anybody, but the respondents-police are threatening the petitioners and their family members with dire consequences of implicating them in false criminal cases in illegal, discriminate, biased manner at the behest of 9th respondent. The petitioners are having absolute right and possession over the property in question and

their rights are at risk and it is a case of interference by police in a dispute of civil nature.

5. (i) By relying on the written instructions of the respondents, the learned Government Pleader for Home would submit that the petition allegations are incorrect. On 26.05.2026, a 112 (Free Dial) call was received by police that the fish feed was supplied but without paying amount as promised the fishing activity is carried on by petitioners and in that connection there was quarrel between two fractions. On such information, the police staff were deputed to pacify the quarrel and to maintain the law and order situation with a view to prevent breach of peace. The interference of the police is preventive in nature.

5. (ii) Further, the learned Government Pleader would also submit that on basis of intimation of Area Government Hospital, Gudivada and on the statement of Rasul Baig of Naganna Cheruvu, a case in Crime No.96 of 2026, dated 26.05.2026 was registered for the offence under Sections 118(1), 351(2) read with 3(5) BNS, on the file of Pedaparupudi Police Station and the investigation is in process. Further, she would also submit that the gist of the complaint is that when one Madhava Swamy and his employees went to the fish tank for clearance of monetary dues, one Venkat Reddy and his associates attacked them and caused blade injuries to Rasul Baig and Dinakaran whereupon both the injured were shifted to Area Hospital, Gudivada.

5. (iii) Further it is also submitted by the learned Government Pleader that basing on statement of one Katari Anusha wife of Madhava Swamy, a case in Crime No.97 of 2026 for the offence under Sections. 115(2), 118(1), 79 read with 3(5) BNS, dated 27.05.2026 was registered on the file of Pedaparupudi Police Station and the gist of the said complaint is that, the informant and her husband went to the fish pond on receiving information that fish harvesting was going on. The petitioners and one Nagaraju along with others attacked and threatened them.

5. (iv) Both FIRs were registered on 26.06.2026 and 27.05.2026 respectively and the investigation is pending. Thus, only to set up the criminal into motion, the police interfered and taken action in the interest of law and order and to maintain peace. The allegations contra are incorrect.

6. It is relevant to note that, in the written instructions, a specific averment is made as follows :-

“It is humbly submitted that the respondent police are not competent authorities either to dispossess or evict the petitioners from the subject fish tanks in question”.

7. It is also submitted for the official respondents that, the allegations as to interference at the instance of respondent No.9 is false.

8. Since the alleged interference in civil dispute apprehended is not found, notice to the 9th respondent is found not necessary.

9. In view of the specific submissions and written instructions, no further orders are found necessary in this Writ Petition. However, the police shall act and the Writ Petitioners are at liberty to pursue their remedies, if any, strictly according to law. The Written instructions submitted by the respondent Nos.1 to 8 shall be placed on record.

10. Accordingly, the Writ Petition is disposed of, at the stage of admission.

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

JUSTICE A.HARI HARANADHA SARMA

Date: 02.06.2026,
Note : C.C. by tomorrow
B/o SAB.

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

W.P. No.15113 of 2026

Dt.02.06.2026

Date: 02.06.2026,

Note : C.C. by tomorrow
B/o SAB.