

**THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA**

**WRIT PETITION No.15266 of 2026**

**ORDER**: -

This Writ Petition is filed seeking to issue a Writ of Mandamus declaring the action of the Respondents 3 and 4 in interfering with civil dispute regarding the property of the petitioner situated in A.S.R. Nagar, Seethammadhara, Visakhapatnam, subject matter of the Suit in O.S. No.314 of 2026 pending before the Principal Junior Civil Judge's Court, Visakhapatnam as illegal, arbitrary and violative of articles of 14, 19 (1), 21 and 300-A of the Constitution of India and consequential direction to the respondents Nos.3 and 4 not to interfere with the civil disputes.

2. The contention of the writ petitioner is that the subject matter of the litigation i.e., House No.50-1-59/3, A.S.R. Nagar, Seethammadhara, Visakhapatnam, belongs to one M. Venkata Jagga Rao Harsha and Manchukonda Hiranya and their family members. The petitioner has entered into an agreement with them to purchase the subject property. The respondent No.5 is no way concerned with the same, when there is interference and an attempt to evict the petitioner, he filed a suit in O.S.No.314 of 2026 on the file of Court of Principal Junior Civil Judge, Visakhapatnam for specific performance. During the pendency of the Suit, the writ petitioner is called to Police Station, on the strength of a complaint lodged by the respondent No.5 before the Pre-litigation Counsel Forum (PLCF), Visakhapatnam City vide Petition No.1226/25, dated

06.10.2025, and he was directed to get the order from Civil Court or any other authority, in favour of the petitioner and he has been repeatedly summoning to Police Station. Thus, aggrieved. Hence, the present Writ Petition.

3. Heard learned counsel on both sides.

4. It is evident from the material enclosed that the petitioner has submitted an explanation stating that the dispute is pending for adjudication before a competent Civil Court having requisite territorial and pecuniary jurisdiction. Since the matter is sub-judice before the Court, the Pre-litigation Counselling Forum, Visakhapatnam City is not entitled to entertain the petition. It is further seen from the material enclosed that, Pre-litigation Counseling Forum, Visakhapatnam City has issued a notice to the parties through the Police, directing parties to appear before the Forum. Thus, police interference is evident. Therefore, this Court finds it necessary to issue appropriate directions restraining interference with the subject matter covered by civil litigation.

5. It is also relevant to note that,

1) Police are not competent to summon the parties in respect of a civil dispute.

2) The Pre-litigation Counseling Forum, Visakhapatnam City summons the parties without referring to any specific nature of dispute in the notice.

3) The direction contained in the notice requiring the parties to appear before the Forum along with all documentary evidence and proof relating to the dispute.

6. Above aspects raise larger concerns regarding the parameters, limits and legal basis for such enquiries or counselling proceedings conducted with police involvement, as to the transparency, sanctity and legal validity of the process adopted. Hence, a direction is issued to the respondents 3 and 4 not to interfere in the civil litigation pending between the parties.

7. The Writ Petition is disposed of accordingly. There shall be no order as to costs.

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

**A. HARI HARANADHA SARMA, J**

Date: 11 .06.2026

Pnr/KA