

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**THURSDAY, THE FIFTH DAY OF OCTOBER,
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
WRIT PETITION NO: 25998 OF 2023**



Between:

1. Earla Mahesh Kumar, E.M.Prasad, Aged 32 yrs , Occ.Business, D.No.B-11 West HPCL Quarters, Yarada Park, Malkapuram , Viskhapatnam. Aadhar No.953190473557
2. Earla Murthyunjaya Prasad, S/o E. Veera Swamy (late) , Aged 58 yrs, Occ.Employee D.No.B-11 West HPCL Quarters, Yarada Park, Malkapuram Viskhapatnam.
3. Earla Adilakshmi, W/o Earla Murthyunjaya Prasad , Aged 53 yrs, Occ.Employee D.No.B-11 West HPCL Quarters, Yarada Park, Malkapuram Viskhapatnam.
4. Earla Aparna, D/o Earla Murthyunjaya Prasad , Aged 31 yrs, Occ.Employee D.No.B-11 West HPCL Quarters, Yarada Park, Malkapuram Viskhapatnam.

...Petitioners

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary (Home) Secretariat, Velagapudi, Amaravathi.
2. The Commission of Police, Visakhapatnam City.
3. The Station House Officer (SHO), Malkapuram Police Station , Malkapuram Visakhapatnam City.
4. G.D. Babu, Inspector of Police (C.I...), Malkapuram Police Station Malkapuram , Visakhapatnam City
5. Earla Mounika, W/o Earla Mahesh Kumar , Aged 23 yrs D.No.65-6-325 Mulagada Housing Colony , New Gajuwaka , Visakhapatnam. Occ.Business, D.No.B-11 West HPCL Quarters, Yarada Park, Malkapuram Viskhapatnam

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to pass an Order to Issue a Writ or Order or Direction more particularly in the Nature of a Writ of Mandamus declaring the action of the Respondents officials particularly 3rd and 4th harassing the Petitioners one way or another calling to the Police Station every day by Pressurizing heavily on the Complaint of 5th un-official respondent to Settle the Matrimonial Disputes like Permanent Alimony , Monthly Maintenance Etc., even though the Case in F.C.O.P.1615/2023 for Mututal Divorce filed and pending before the Family Court at Visakhapatnam all are Illegal, Unlawful , inteffering into the Civil and Matrimonial Disputes without have any jurisdiction there by Violation of Article 14,19,21 of the Constitution of India, Violation of Principles of Naturla justice Consequently to direct the Respondents 3 and 4 not to Call the petitioners to the Malkapuram pollice Station as well as not to harass in connection with the Matrimonial and Financial Disputes in between the petitioners and the 5th respondent in the interest of the justice.

IA NO: 1 OF 2023:

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to pass an Order to Direct the Respondents 3 and 4 not to Call for the petitioners to the malkapuram police station nor Interfere into the Matrimonial and financial disputes in between the petitioners and 5th respondent, pending disposal of WP.No.25998 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Ravuri Leela Sai Sampath, Advocate for the Petitioner and GP for Home for the Respondent Nos.1 to 4, the Court made the following;

ORDER:

“Learned Assistant Government pleader for Home takes notice for respondents 1 to 4 and seeks time to get instructions.

Learned counsel for the petitioners is permitted to take out personal notice to respondent No.5 by RPAD and file proof of service before the Registry within a period of three (3) weeks.

List the matter after four (4) weeks.

In the meanwhile, the respondent police are directed not to interfere with the civil and matrimonial disputes between the petitioners and respondent No.5 herein.”

//TRUE COPY//

**Sd/-N.NAGAMMA
ASSISTANT REGISTRAR**

SECTION OFFICER.

To,

- 1. The Principal Secretary (Home) Secretariat, State of Andhra Pradesh, Velagapudi, Amaravathi.**
- 2. The Commissione of Police, Visakhapatnam City.**
- 3. The Station House Officer (SHO), Malkapuram Police Station , Malkapuram Visakhapatnam City.**

4. G.D. Babu, Inspector of Police (C.I.,) Malkapuram Police Station Malkapuram , Visakhapatnam City
5. Earla Mounika, W/o Earla Mahesh Kumar, D.No.65-6-325 Mulagada Housing Colony , New Gajuwaka , Visakhapatnam. Occ.Business, D.No.B-11 West HPCL Quarters, Yarada Park, Malkapuram Viskhapatnam (Addressee Nos.1 to 5 by RPAD)
6. One CC to Sri. Ravuri Leela Sai Sampath, Advocate [OPUC]
7. Two CCs to GP for Home, High Court of Andhra Pradesh. [OUT]
8. One spare copy

MM

HIGH COURT

SRK,J

DATED:05/10/2023

NOTE: LIST THE MATTER AFTER FOUR (04) WEEKS

ORDER

WP.No.25998 of 2023

DIRECTION

