



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

[3396]

MONDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 25998/2023

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.

...PETITIONER(S)

AND

1. THE STATE OF AP, REPRESENTED BY ITS PRINCIPAL
SECRETARY (HOME) SECRETARIAT, VELAGAPUDI, AMARAVATHI.
2. THE COMMISSIONER OF POLICE, VISAKHAPATNAM CITY.
3. THE STATION HOUSE OFFICER SHO, MALKAPURAM POLICE
STATION , MALKAPURAM VISAKHPATNAM 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

...RESPONDENT(S):

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 pass an Order to Issue a Writ or Order or Direction more particularlry 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-officilaL 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 , intefering into the Civil and Matrimonial Disputes without have any jurisdiction there by Violation of Article 14,19,21 of the Constitutoin 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. and to pass

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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 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 the main writ petition in the interest of the justice and pass

Counsel for the Petitioner(S):

1.RAVURI LEELA SAI SAMPATH

Counsel for the Respondent(S):

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

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ORDER:

This Writ Petition is filed under Article 226 of Constitution of India with the following prayer for:

“...to pass an Order to Issue a Writ or Order or Direction more particular 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 Mutual Divorce filed and pending before the Family Court at Visakhapatnam all are Illegal, Unlawful , interfering 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 Natural justice Consequently to direct the Respondents 3 and 4 not to Call the petitioners to the Malkapuram police 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. and to pass.....”

2. Heard Sri Ravuri Leela Sai Sampath, learned counsel for the petitioners, and Sri V.Farooq, learned Assistant Government Pleader for Home.

3. Learned counsel for the petitioners would submit that, it is a case of interference of police in the family disputes and calling the petitioners to the police station and harassing them to settle the matrimonial disputes.

4. Sri V.Farooq, learned Assistant Government Pleader for Home, on written instructions, would submit that basing on the complaint of Earla Mounika -5th respondent, the respondent police has registered a crime against the petitioners in Crime No.1349/2021, for the offences punishable under Section 498-A r/w 34 IPC and Section 3 and 4 of DP Act on the file of Gajuwaka Police Station, Vishakapatnam District, except the registration of the above crime, the respondent police never interfered with the personal life and liberty of the petitioners nor harassed the petitioners one way or other by calling to the police station.

5. The learned counsel for the petitioners submits that the Court may pass appropriate orders.

6. Considering the submissions, the Writ Petition is disposed of. However, the police are directed not to interfere in the family disputes except under due process of law. There shall be no order as to costs.

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

Dr. JUSTICE VENKATAJYOTHIRMAI PRATAPA

Date: 08.12.2025
KKV

HON'BLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

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Date: 08.12.2025
KKV

HIGH COURT OF ANDHRA PRADESH:: AMARAVATI

MAIN CASE NO.: WRIT PETITION NO: 25998/2023

PROCEEDING SHEET

Sl. No.	Date	ORDER	OFFICE NOTE
	08.12.2025	<u>Dr.VJP,J</u> The Writ Petition is disposed of. (vide separate order) KKV <u>Dr.VJP,J</u>	