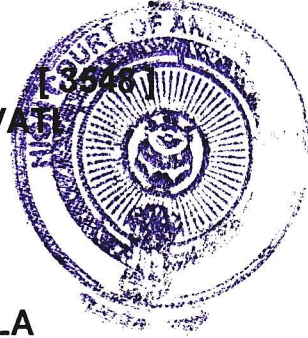


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
FRIDAY, THE THIRD DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE



:PRESENT:
THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA
IA No. 1 OF 2025
IN
WP NO: 27165 OF 2025

Between:

1. Mella Chalapathi, S/o Bojjanna, Aged about 58 years, Occ- Ex- Service man, R/o. 2-1153, Padmavathi Nagar, Piter Mandat Annamayya District.
2. G. Sreenivasa Raju, S/o. Late Venkatadri Aged about 60 years, Occ- Business, R/o. 22-190, A.K. Colony, Chandragiri, Chittoor-517151.

...Petitioner(s)

(Petitioners in WP 27165 OF 2025
on the file of High Court)

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Home Department, Secretariat Buildings Amaravati, Guntur District
2. The Director General of Police, Police Head Quarters, Mangalagiri, Gunutur District.
3. The Superintendent of Police, Annamayya District, Andhra Pradesh.
4. The Deputy Superintendent of Police, Piler, Annamayya District, Andhra Pradesh.
5. The Sub-Inspector of Police, Piler Police Station, Annamayya District, Andhra Pradesh.
6. The Station House Officer, Piler Police Station, Annamayya District, Andhra Pradesh
7. The Tahsildar, Piler Mandal, Annamayya District, Andhra Pradesh.
8. S.Kotakonda Venkat Rahul, S/o. K. Venkataramana, Aged about 37 years, R/o. Sreevari Colony, Tirupathi Rural Mandal, Tirupathi District

...Respondent(s)
(Respondents in-do-)

Counsel for the Petitioner :AISHWARYA NAGULA

Counsel for the Respondent :GP FOR HOME

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 direct the Respondents No. 4 to 6 not to interfere with petitioner property i.e., extent of Ac 0.81 cents and Ac. 1.60 Cents out of Ac.3-75 cents in Sy.No. 440/1 of Mudupulavemula Village, Filer Mandal, Annamayya District Pending disposal of WP No. 27165 of 2025, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER

“This application is filed to direct the respondents No.4 to 6 not to interfere with petitioner’s property i.e., extent of Ac.0.81 cents and Ac.1.60 cents out of Ac.3.75 cents in Sy.No.440/1 of Mudupulavemula Village, Piler Mandal, Annamayya District pending disposal of the writ petition.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Home and Ms.Sayamma Oruganti, learned counsel for the respondent No.7.

The case of the petitioners is that despite the orders of the Principal Civil Judge (Junior Division), Piler, in O.S.No.349 of 2025 in respect of property admeasuring 0.81 cents and 1.60 cents in Survey No.440/1 of Mudupulavemula Village, Piler Mandal, Annamayya District, the official respondents are interfering with petitioners’ possession. To substantiate the grievance, the attention of the Court was taken to the

photographs filed along with the writ affidavit and also the injunction order passed by the learned Principal Civil Judge (Junior Division), Piler, granting interim injunction against the respondents till 13.10.2025. Admittedly, the interim injunction is in force.

In rebuttal to the said arguments, the learned Assistant Government Pleader for Home has placed on record the instructions of the respondent No.7 stating that the parties in the suit were bound over for security reasons vide information laid under Section 126 of B.N.S.S. in C.No.____ of 2025 of Piler Urban Police Station, dated 30.09.2025 to keep good behavior, further the instructions show that the concerned Inspector of Police has stated as follows:

“...It is submit that, today i.e., on 30.09.2025 at 7:00 A.M. I received dial 100 call from headquarter, immediately my staff HCs- 614, 3104, HG-362 reached to spot and found both are present there, picked up quarrel each other. Further I secured the respondents No.1 to 4, counseled them do not enter in Sy.No.440/1 and 2 of Mudupulavemula Village, Piler Mandal until orders issued from the revenue authorities. I suspect that the above respondents No.1 to 4 may indulge in acts of violence thereby cause breach of peace and may commit cognizable offence and cause breach of peace...”

As per the content and meaning in the above paragraph, it is clear that the injunction granted by the Court was earlier to these proceedings (which is dated 30.09.2025) and any order aftermath would be interference/over-reaching with the injunction granted on 26.09.2025.

As per the legal conundrum, under the guise of civil disputes, the police are not expected to interfere and there is no more *res integra* in view of the judgment of this Court in B.Vaheeda Vs. State of Andhra Pradesh

In view of the same, there shall be a direction to the respondents No.5 and 6 not to interfere with the civil disputes more particularly with the afore said property admeasuring 0.81 cents and 1.60 cents in Survey No.440/1 of Mudupulavemula Village, Piler Mandal, Annamayya District, until further orders."

SD/-T.SRINIVASA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Home Department Secretariat at Velagapudi, Amaravati, Guntur District, State of Andhra Pradesh. (by SPECIAL MESSENGER)
2. The Director General of Police, Police Head Quarters, Mangalagiri, Gunutur District.
3. The Superintendent of Police, Annamayya District, Andhra Pradesh.
4. The Deputy Superintendent of Police, Piler, Annamayya District, Andhra Pradesh.
5. The Sub-Inspector of Police, Piler Police Station, Annamayya District, Andhra Pradesh.
6. The Station House Officer, Piler Police Station, Annamayya District, Andhra Pradesh
7. The Tahsildar, Piler Mandal, Annamayya District, Andhra Pradesh.
8. S.Kotakonda Venkat Rahul, S/o. K. Venkataramana, Aged about 37 years, R/o. Sreeevvari Colony, Tirupathi Rural Mandal, Tirupathi District.(Nos. 2 to 8 by RPAD)
9. One CC to SRI. AISHWARYA NAGULA Advocate [OPUC]
10. Two CCs to GP FOR HOME ,High Court Of Andhra Pradesh.
[OUT]
11. One spare copy

HIGH COURT

GTK,J

DATED:03/10/2025

POST AFTER TWO WEEKS

ORDER

IA No. 1 OF 2025
IN
WP NO: 27165 OF 2025

INTERIM DIRECTION

