



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

THURSDAY, THE FOURTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 19931 OF 2023

Between:

1. AYODHYA BALAKRISHNA, S/o. Surya Narayana Aged above 65 years,
R/o. Door No. 48-4-4A, Ashok gardens, Gunadala, Vijayawada, NTR District.

...Petitioner

AND

1. THE STATE OF ANDHRA PRADESH, Rep.by its Principal Secretary,
Home Department, Secretariat, Velagapudi, Amaravathi.

2. The Commissioner of Police, NTR District at Vijayawada.

3. The Station House officer, Machavaram Police Station, Vijayawada, NTR
District.

4. Elaprolu Nalini Kanth, S/o. Radha Krishna @ Radha Krishna Murhly,
D.No.48-1-3/1, Gunadala, Vijayawada. NTR District.

...Respondents

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 topleased to issue writ or direction particularly in the nature of mandamus or any other appropriate writ, A).To declare the inaction of the respondents No. 1 to 3 in initiating appropriate action against respondent No.4 and his men pursuant to the complaint given to the 2nd respondent through

Spandana vide Receipt No.2059-2023/ Spandana/ Vijayawada/2023, dated. 24-07-2023, as illegal, void, arbitrary and violating the fundamental right guaranteed under Article 21 of the Constitution of India and also my right over the subject property under Article 300-A of the constitution of India apart from violating the directions of this Hon'ble court. B).Consequently, to direct the respondents 1 to 3 to initiate action pursuant to the complaint given to the 2nd respondent through Spandana vide Receipt No. 2059-2023/ Spandana/ Vijayawada/2023, dated. 24-07-2023, and direct to provide protection to the petitioner and his family members from the 4th respondent and his men forthwith and pass

IA NO: 1 OF 2023

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 1 to 3 to initiate action pursuant to the complaint given to the 2nd respondent through Spandana vide Receipt No. 2059-2023/ Spandana/ Vijayawada/2023, dated. 24-07-2023 and to direct to provide protection to the petitioner and his family members from the 4th respondent and his men forthwith pending disposal of the writ petition, and pass

Counsel for the Petitioner: RAMA RAO KOCHIRI

Counsel for the Respondents: GP FOR HOME

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 19931 OF 2023

The Court made the following order:

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

“...to issue writ or direction particularly in the nature of mandamus or any other appropriate writ, A).To declare the inaction of the respondents No. 1 to 3 in initiating appropriate action against respondent No.4 and his men pursuant to the complaint given to the 2nd respondent through Spandana vide Receipt No.2059-2023/Spandana/Vijayawada/2023, dated. 24-07-2023, as illegal, void, arbitrary and violating the fundamental right guaranteed under Article 21 of the Constitution of India and also my right over the subject property under Article 300-A of the constitution of India apart from violating the directions of this Hon'ble court. B).Consequently, to direct the respondents 1 to 3 to initiate action pursuant to the complaint given to the 2nd respondent through Spandana vide Receipt No. 2059-2023/Spandana/Vijayawada/2023, dated. 24-07-2023, and direct to provide protection to the petitioner and his family members from the 4th respondent and his men forthwith and pass such other order or orders...”

2. It is noted that the learned counsel for the petitioner has become Government Pleader.

3. When the matter is taken up for hearing, Sri V.Farooq, learned Assistant Government Pleader for Home for the respondents, on written instructions, brought to the notice of this Court that based on the contents in the Spandana complaint dated 24.07.2023 made by the petitioner, it is found

that the matter is civil in nature. He further submits that the police are not interfering in the civil disputes between the parties.

4. Recording the above submissions, the writ petition is disposed of. The petitioner is at liberty to work out his remedies before the appropriate forum in accordance with law. There shall be no order as to costs.

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

Dr. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 04.12.2025
Ksj