

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.21576 of 2015

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, for the following relief:

“to issue a writ, order or direction more any one in the nature of Writ of Mandamus declare the actions of Respondent No.2 and 3 herein in interfering with the construction activity in Sy.No.51 in an extent of 680 sq.yards out of Ac.1.38 gts., situated at Ward No.5, Block No.5, Kranthi Hills, Saheb Nagar, Khurd village, Hayatnagar Mandal, Ranga Reddy District, in pursuant to building permission granted by Greater Hyderabad Municipal Corporation vide permit No.35959/HO/EZ/Cir-3/2014 dt.21.8.2014 by declaring the actions of gross interference in civil disputes by the Respondents No.2 and 3 herein as arbitrary, illegal and violative of rights guaranteed under Article 14, 21 and 300-A of the Constitution of India and issue appropriate directions.”

2. When the matter is called, written instructions dated 20.07.2015 furnished by the Sub-Inspector of Police, Vanasthalipuram Police Station, Cyberabad, have been placed before this Court by the learned Government Pleader. The said written instructions read as under:

“It is pertinent to submit that a case in Cr.No.793/2014 U/Secs.447, 427 r/w 34 IPC was registered against the petitioner herein and cr.No.328/2015 and Cr.No.91/2015 were registered against the followers of the writ petitioners herein and investigated into.

It is humbly submitted that mere registration of the criminal cases on the complaint of the petitioner herein as well as the unofficial respondents herein and proceeding with the investigation of the cases as contemplated under law, does not amounting to the interference of the respondent police into the civil disputes.

I humbly submit that the petitioner herein filed the writ petition with a malafide intention and to divert the attention of the investigating agency in not conducting the investigation of the cases as per the procedure laid down under law.

I humbly submit that except conducting the investigation of the above criminal cases as per the code of Criminal Procedure, this respondent never interfered with the subject property of the petitioner herein including construction activity of the petitioner.

It is pertinent to submit that, this respondent personal enquiries revealed that no construction activity is going on in Sy.No.61, Saheb Nagar Khurd Revenue Village, beside Sushma Theatre, Vanasthalipuram, Hayathnagar Mandal, RR District.

All the allegations made in the affidavit are false, concocted and invented for the purpose of filing the present writ petition and mainly to divert the attention of the investigating agency in not conducting the fair investigation of the above mentioned criminal cases.

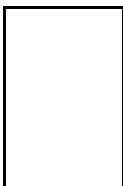
It is also pertinent to submit that when the investigation is going on impartially in the above criminal cases, if any interim orders are passed, taking advantage of the same, the petitioner may not cooperate with the investigating agency.”

3. On noticing the said instructions, the learned counsel for the petitioner requested this Court to dispose of the writ petition by recording the said written instructions.

4. In view of the said submission of the learned counsel for the petitioner, the writ petition is disposed of, by recording the written instructions furnished by the Sub-Inspector of Police, Vanasthalipuram Police Station, Cyberabad. As a sequel, pending miscellaneous petitions, if any, shall stand closed. No costs.

A.V.SESHA SAI, J

Date:17.08.2015
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THE HON'BLE SRI JUSTICE A.V.SESHA SAI

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W.P.No.21576 of 2015

Dated 17th August, 2015

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Date: 17th August, 2015

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Between:

G.Chenna Reddy S/o late Pulla Reddy,
Aged about 62 years, Occ: Business,
R/o H.No.2-14-104, Beerappagadda,
Uppal, Ranga Reddy District and another.

... Petitioner

and

The State of Telangana,
represented by its Principal Secretary,
Home Department, Secretariat, Hyderabad and
five others.

... Respondents

DATE OF JUDGMENT PRONOUNCED: 17th August, 2015

SUBMITTED FOR APPROVAL: 17th August, 2015

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THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

1. Whether Reporters of Local Newspapers
May be allowed to see the Judgment?

Yes/No

2. Whether the copies of judgment may be
Marked to Law Reporters/Journals?

Yes/No

3. Whether Their Lordship wish to see the
Fair copy of the judgment?

Yes/No