

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

TUESDAY THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 31507 OF 2015

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Between:

M/s. International Missions India,
IMI Compound Bhongir,
Nalgonda district,
Rep.by its Administrator-
Authorized representative,
Gopi Jonah ... Petitioner

Vs.

The State of Telangana
Rep.by its Prl. Secretary

Home Department,
Secretariat, Hyderabad & Ors. ... Respondents

Counsel for the Petitioner: Sri T. Surya Satish

Counsel for the Respondents: GP for Home [TG]

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 31507 OF 2015

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ORDER:

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

“To declare the high handed and illegal action of respondents 2 to 4 in interfering with the affairs and management of IMI Bhongir, situated at IMI compound Bhongir at the instance, behest and in collusion with the respondents 5 and 6 as illegal, arbitrary, violative of the provisions of the Companies Act, the Articles of Association of International Missions India and violation of Article 14, 19, 21, 25, 26 and 300-A of the Constitution of India and to pass such other suitable orders as this court may deems fit and proper in the circumstances of the case.”

2. Heard Sri T. Surya Satish, learned counsel for the petitioner, and the learned Government Pleader for Home for Respondents

3. When the matter is called, written instructions dated 01/10/2015 furnished by the Station House Officer, Bhongir Town Police Station, Nalgonda district has been placed on record by the learned Government Pleader for Home.

4. The written instructions reads as under:

One Mr. Kavampally Krupanandha Sagar son of Laxmi Narsaiah, Accountant, India Mission School, Bhongir Nalgonda district had approached the Police of Bhongir Town Police Station, Nalgonda district lodged a complaint on 4/9/2015 stating that he is working as Accountant in India Mission School, Bhongir and on 4/9/2015 about 3:00 p.m. one Sri S.Juda, Correspondent assaulted on him and taken away the cash from him and beat with stick on his head and caused injury and also threatened that he would kill him and one Mr.Ravi saw the said incident and hence requested the police to take necessary action as per law.

Basing on the contents of the above complaint, a case in Cr.No.200/2015 under section 324 and 506 IPC was registered on

the file of Bhongir Town Police Station on 4/9/2015 and investigation was taken up.

During the course of investigation, the investigating officer examined the complainant and other witnesses and recorded their detailed statements. As per the evidence, prima facie case is made out against the correspondent Mr.Sanvala Juddah that he has committed the offences punishable under section 324 and 506 IPC. Accordingly, notice u/section 41-A Cr.P.C. was issued to the said correspondent.

It is respectfully submitted that except the registration of the above criminal case against the correspondent of the petitioner's institution, this respondent never interfered with the affairs and management of the petitioner herein. This respondent police never took the keys of the petitioner herein and handed over the same to the unofficial respondents herein.

It is humbly submitted that to divert the attention of the investigating agency in not conducting the investigation of the case in a fair and proper manner and also to save the skin of the correspondent Mr.Sanvala Juddah, the petitioner with a mala fide intention filed the writ petition with false and baseless allegations.

It is humbly submitted that the dispute of the petitioner as well as the unofficial respondents herein is purely civil in nature and this respondent police has no way concerned with it. I humbly submit that this respondent never interfered with the petitioner's management. If the petitioner makes the complainant Mr.Kavampally Krupananda Sagar as party respondent to the writ petition, the real facts would have come to light.

The writ petition is liable to be dismissed at its threshold."

5. On noticing the same, the learned counsel for the petitioner has requested this court to dispose of the writ petition by recording the said written instructions.

6. In view of the above, the writ petition is disposed of by recording the above written instructions dated 01/10/2015 furnished by the Station House Officer, Bhongir Town Police Station, Nalgonda district. No costs.

7. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V.SESHA SAI

06/10/2015

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HONOURABLE SRI JUSTICE A.V. SETHA SAI

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Court Master: I s L