

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD  
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH  
(Special Original Jurisdiction)

MONDAY, THE NINETTENTH DAY OF JANUARY  
TWO THOUSAND AND FIFTEEN  
PRESENT

**THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR**

**WRIT PETITION No.41195 of 2014**

**BETWEEN**

Rajesh Kumar Jain.

**... PETITIONER**

**AND**

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

**...RESPONDENTS**

**Counsel for the Petitioner: MR. P. SHIV KUMAR**

**Counsel for the Respondents: GP FOR HOME (TG)**

**The Court made the following:**

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**ORDER:**

Petitioner submits that he has purchased property bearing Municipal

No.32-201/NR on Plot No.B2 admeasuring 149 sq. yards in Sy.No.269 at Shapur Nagar, Qutbullapur Village and Mandal, Ranga Reddy District under registered sale deed dated 20.11.2014 and rectification deed dated 01.12.2014 executed by one Smt. Madhuri Shanta and M. Satyanarayana. Petitioner also claims that his name is mutated in the Municipal records as well as in water works and electricity departments. Alleging that respondent No.3, at the instance of respondents 4 and 5, is interfering with the aforesaid property, the present writ petition is filed.

2. Instructions received by the learned Assistant Government Pleader for Home show that the petitioner's vendor filed a private complaint before the VI Metropolitan Magistrate, Cyberabad, Medchal against respondents 4 and 5 herein and two others. Based on that, Cr.No.638 of 2014 was registered by respondent No.3 and investigation is taken up. Respondents 4 and 5 herein are stated to be shown as A1 and A2 in the said FIR. During the investigation, it, however, appeared that the petitioner has purchased the aforesaid property from the complainant, hence, it is stated that the petitioner was requested to produce the documents of title before the Investigating Officer so as to proceed further with the investigation. However, the petitioner has not produced the said documents.

It is also stated that respondents 4 and 5 have approached the learned II Additional Senior Civil Judge, Ranga Reddy District in O.S.No.1083 of 2014 against the vendor of the petitioner and obtained an order of Status Quo in I.A.No.619 of 2014.

3. It is evident from the above that respondent No.3 is aware of subsistence of status quo order passed by the civil Court against the vendor of the petitioner and that they only require the petitioner to produce the documents of title to enable further investigation into the complaint.

4. Learned counsel for the petitioner states that the petitioner has no objection so far as producing the documents of title before the Investigating Officer is concerned. Learned counsel also states that the petitioner has already filed O.S.No.237 of 2014 before the Principal Junior Civil Judge, Medchal against respondents 4 and 5 herein and obtained ad interim injunction dated 31.12.2014 in I.A.No.1038 of 2014.

5. Evidently, the scope of the present writ petition is only with regard to the action of respondent No.3 in interfering with the rights of the petitioner. It is, however, to be noted from the instructions above that respondent No.3 is conscious and aware of the existence of an order of status quo in favour of the respondents 4 and 5 in O.S.No.1083 of 2014 and that respondent No.3 is merely calling upon the petitioner to produce the documents of title, as he is a subsequent purchaser. Since the petitioner has no objection for producing the said documents, he is at liberty to approach respondent No.3 and produce all the documents, which he relies upon to trace his title. Respondent No.3 shall be at liberty to proceed with the investigation thereafter and complete the same expeditiously. However, the orders of the civil Court, referred to above, shall be kept in mind by respondent No.3 while investigating the crime.

Subject to the above, the writ petition is disposed of.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

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VILAS V. AFZULPURKAR, J

January 19, 2015  
DSK