

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.35070 of 2015

ORDER:

The petitioners herein allege that respondents 4 to 6, who are police officers impleaded by name, are illegally interfering with their peaceful possession and enjoyment over an extent of land admeasuring Ac.10.07 gts. in Sy.No.222 of Gaganpahad Village, Rajendranagar Mandal, Ranga Reddy District.

When the matter was taken up for hearing on admission, Sri Vedula Srinivas, learned counsel, stated before this Court that he has been instructed to file an implead application in this case on behalf of the legal heirs of one G. Indiramma and one G. Lakshmi Narsamma, whose names find mention in para 4 of the affidavit filed in support of the writ petition. According to the learned counsel, the petitioners' claim that they are in possession of the subject land is factually incorrect. He would assert that his clients are in actual possession.

The learned Assistant Government Pleader for Home stated that written instructions dated 03.11.2015 were furnished by the Deputy Commissioner of Police, Shamshabad Zone, Cyberabad, and placed the same before this Court. Perusal thereof reflects that upon the complaint made by one N. Sunitha under Section 200 Cr.P.C., the learned VIII Metropolitan Magistrate, Rajendranagar, Cyberabad, forwarded the same to the police authorities and Crime No.278 of 2015 was registered under Sections 323, 420, 447, 448, 468, 471 and 506 I.P.C. read with Section 34 I.P.C. on the file of RGI Airport Police Station, Cyberabad. Investigation was stated to have been taken up by the Sub-Inspector of Police, Shamshabad Police Station, who is impleaded *eo nomine* as respondent No.6 herein. Reference was made in the written instructions to the civil litigation between the parties and it was stated that the investigation was still at a preliminary stage. Insofar as the allegation of the petitioners in the present case is concerned, the Deputy Commissioner of Police, Shamshabad Zone, Cyberabad, stated that except registering the crime, the police did not interfere in the issue of possession over the subject land or the civil disputes pending between the parties.

As the scope of this writ petition is limited and the private disputes between the petitioners and others, including the clients of Sri Vedula Srinivas, learned counsel, would not fall for consideration before this Court in a writ petition filed under Article 226 of the Constitution, the writ petition is closed taking on record the stand of the police authorities that they are only investigating the crime which was registered in the context of the subject land. The police authorities would be mindful of the limits of their powers and as they have themselves stated, they are not entitled to enter into the civil disputes between the parties.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

JUSTICE SANJAY KUMAR

4th November, 2015

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