

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. 29070 OF 2015

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Between:

Chikram Gangaram & Ors. ... Petitioners

Vs.

The State of Telangana,
Rep.by its Prl.Secretary,
Home Department, Secretariat,
Hyderabad & Ors. ... Respondents

Counsel for the Petitioners: Sri K. Venumadhav

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. 29070 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 action of the respondents 3 and 4 in threatening the petitioners to disposses them from their small extents of agricultural lands in sy.no. 306 situated at Chinna Koluva village of Komanpalli shiva of Sarangapoor Mandal of Karimnagar district and threatening not to do the agricultural activities by abusing in unparliamentary language against the petitioners and their family members including women, other wise they have to face dire consequences is nothing but depriving our valuable rights over our

agricultural lands and also nothing but violative of principles of natural justice and also violative of Articles 14, 19, 21 and 300-A of the Constitution of India. Consequently to direct the respondents 3 and 4 not to interfere and not to harass in any manner depriving the personal liberties and civil rights of the petitioners in cultivating and enjoying their assigned lands in any manner situated at Chinna Koluvai village of Komanpalli shivar of Sarangapoor mandal of Karimnagar district and to pass such other suitable orders as this court may deems fit and proper in the circumstances of the case.”

2. Heard Sri K. Venumadhav, the learned counsel for the petitioner and the learned Government Pleader for Home for the respondents.

3. A counter affidavit is filed by the third respondent and paragraph No.3 of the counter affidavit reads as under:

It is submitted that after receipt of notice in the writ petition, I have verified the station records and found that no case is registered against the petitioners nor any complaint against them is pending with the police station. The police have never visited the petitioners' lands. Therefore, the allegations that the respondent police acting inhumanly, frightening the petitioners,. Abusing them and their family members and threatening them not to cultivate their assigned lands are false, baseless and denied. It is incorrect to state that on 30/8/2015, 31/8/2015 and 01/9/2015 the respondent police visited their place, abused all the women in filthy language with unparliamentarily words and directed them not to do any agricultural activities in their lands, other wise threatened to implicate in false criminal cases. It is also incorrect to state that the respondent police threatening the petitioners not to cultivate and not to enjoy their agricultural lands and threatening to dispossess them from their agricultural assigned lands. It is further submitted that the respondent police are not interfering with the petitioners possession and not threatening to dispossess them from their agricultural lands. As such, the respondent police visiting the petitioners place and threatening them not to cultivate the lands or threatening to dispossess them from their lands does not arise.”

4. On noticing the said averments in the counter affidavit, it is requested

by the learned counsel for the petitioner herein to dispose of the writ petition by recording the said averments.

5. In view of the above submissions, the writ petition stands disposed of by recording the averments made in para no.3 of the counter-affidavit dated 28/9/2015 filed by the third respondent. No costs.

6. 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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Date:06/10/2015

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Court Master: I s L