

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

WRIT PETITION No.23256 of 2015

ORDER:

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

“to issue Writ of Mandamus to declare the action of the official respondents more particularly respondent Nos.3 and 4 in frequently summoning the petitioners to respondent No.4 Police Station thereby to threatening them with dire consequences saying that to settle the matter with the unofficial respondent Nos.5 to 7 in respect of house bearing premises No.1-72/5/2/3/7 and 1-72/5/2/3/8, admeasuring 120 Sq. yards each together admeasuring 240 Sq. yards in Sy.No.136, situated at Gachibowli village, Serilingampally mandal, Ranga Reddy district who are no way concerned to the above property as illegal, arbitrary and violative of the principles of natural justice and consequently direct the respondents 3 and 4 not to summon the petitioners to their respective offices while threatening them to settle the matter involving in civil matters with the respondents 5 to 7.”

Heard Sri G. Rajeshwar Reddy, learned counsel for the petitioners and learned Government Pleader for Home for respondents, apart from perusing the material available before this Court.

Today, when the matter is called, written instructions, dated 30-07-2015 furnished by the Sub-Inspector of Police, Raidurgam Police Station, Cyberabad Commissionerate have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

“It is respectfully submitted that as per the records, it is revealed that the petitioner herein has sent a petition dated 24-07-2015 through post to this respondent Police Station which was received on 27-07-2015 at 16.23 hours stating that some

bad elements (seems to be rowdy gang) along with his cousin-brother are visiting his house at night times, threatening to vacate his house otherwise the entire family members will be murdered in case if he is in the house with his family. The members are 1) Sri Biksha Pathi, 2) Srinivas, 3) Sudarsan are his cousin brothers along with his cousin sisters including bad elements. They have locked his house and threatening rentals to vacate the house with immediate effect. Now they are in life risk with family having nightmares. Hence, he is requested to take immediate action against those bad elements to enable him to live in his house and also requested the police to visit the house if anything unknown incidents occurs.

Upon receipt of the said petition, immediately, an entry was made into the Station General Diary on 27-07-2015 at 16.23 hours stating that after conducting preliminary enquiry into the matter action will be taken.

To know the veracity in the contents of the petition, this respondent police when contacted the petitioner, he rushed to this Hon'ble Court and filed the present writ petition stating that the police are harassing him and other false allegations.

No complaint whatsoever was received against the petitioner herein on the file of Raidurgam Police Station till date.

Instead of cooperating with the respondent police on whose complaint dated 24-07-2015 sent by post (received on 27-07-2015) the respondent police are going to take action basing on the enquiry, the petitioner filed the writ petition.

I humbly submit that the allegation of the petitioner that the respondents frequently summoning the petitioner to the Police Station and threatened him with dire consequences and asked him to settle the matter with the unofficial respondents herein and also interfering with the civil matters and hence the same are denied.

The petitioner sent his complaint dated 24-07-2015 through post to the S.H.O., Raidurgam Police Station, received on 27-07-2015 and filed the present writ petition on 27-07-2015. All the allegations in the affidavit are false and hence denied. If the petitioner cooperates with the respondent police, certainly action will be taken according to him on the complaint, dated 24-07-2015."

On noticing the said instructions, learned counsel for the

petitioner has requested this Court to record the said instructions and close the writ petition. It is also submitted by the learned counsel for the petitioner that the petitioner will cooperate with the respondent-police with regard to his complaint.

In view of the above, the writ petition stands disposed of, by recording the written instructions, dated 30-07-2015 furnished by the Sub-Inspector of Police, Raidurgam Police Station, Cyberabad Commissionerate.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. There shall be no order as to costs.

A.V. SSHA SAI, J

July 31, 2015

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

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WRIT PETITION No.23256 of 2015

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July 31, 2015

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