

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

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WRIT PETITION No.26281 OF 2015
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ORDER:

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

“to issue a Writ of Mandamus, or any other appropriate writ, order to declare the action of the Respondents 4 to 6 calling the petitioner to the Police Station Neredmet and detaining illegally by misusing their powers to favour to the Respondent No. 7 to hand over the property house bearing No. 23-101/2, Plot No. 83. admeasuring 318 sq yards, situated at Madhura Nagar, Neredmet, R.R. District by taking law into their hands for harassing, manhandling the petitioner and his tenants to vacate the said property as is illegal, arbitrary, and in violation of Articles 14, 21 and 300-A of the Constitution of India besides in violation of Police Manual. Consequently direct the official Respondent No. 1 to 3 to take Department Action against the Respondent No. 5 and 6, and direct the Respondents to transfer the FIR No. 324 of 2015 from Neredmet Police Station to any other Police Station in Cyberabad for fair investigation and pass such other order or orders as deemed fit and proper in the circumstances.”

2. When the matter is called today, written instructions dated 21.08.2015, furnished by the Sub Inspector of Police, Neredmet 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 one H. Ramesh Kumar/the petitioner herein lodged compliant against one Dr. Kawal Jeet singh/7th respondent herein stating that he was purchased the property house bearing No.23-101/2 plot No. 83 admeasuring 318 sq. SY. No.278 Madhuranagar, Neredmet, and he is possession of the above said property which was purchased by his wife from S. Krishna. It is further submitted that the

complainant/petitioner and 7th respondent used to deal with property business, during the course of business some disputes occurred between them. Hence the 7th respondent Dr. Kawal Jeet Singh with an intention to cause wrongful loss and got registered a Cr. 51/2013 on the file of CCs, DD Hyderabad U/Sec. 420, 406. r/w 120B IPC and after completing the investigation the final report was filed.

It is further submitted that the petitioner herein came to know through R.T.I. that the 7th respondent involved him with false cases, hence he filed a petition before the Malkajgiri Court, R.R. District and after receiving the same the respondent police registered a case in Cr. No.324/2015 U/Sec.255, 257, 468, 471 and 458 IPC 156(3) Crpc of Neredmet Police Station and the investigation officer took up the investigation.

During the course of investigation the respondent police examined some witness and recorded their statements. It is further submitted that as a part of investigation the respondent police asked the petitioner to produce the records for preliminary enquiry purpose only.

It is further submitted that the allegations made against the respondent police to detaining illegally by misusing their powers asked him to hand over the property house and harassing, manhandling the petitioner and his tenants to vacate them are totally false and baseless, hence denied.”

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

4. In view of the above, writ petition stands disposed of, by recording the written instructions dated 21.08.2015, furnished by the Sub Inspector of Police, Neredmet Police Station, Cyberabad Commissionerate.

5. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

26th August, 2015

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