

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

WRIT PETITION No.27761 OF 2015

ORDER:

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

“to issue a Writ, order or direction, more particularly a Writ in the nature of Mandamus, declaring the action of the Respondents 1 and 2 in interfering with the construction activity of the Writ Petitioner on the pretext of receiving the complaint from the Respondents-3 to 5, as arbitrary, illegal, contrary to the Principles of Natural Justice and violates Articles 14, 21 and 300-A of Constitution of India and consequently direct the Respondents 1 and 2 not to interfere with the construction activity of the writ petitioner over the property covered under the sale deed, marked as Ex.P-1 and pass such other suitable order or orders as this Hon'ble Court may deem fit and proper under the circumstances of the case.”

2. When the matter is called today, written instructions dated 03.09.2015, furnished by the Sub Inspector of Police, KUC Police Station, Warangal District, 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, the facts of the case are that on 12.8.2015 one Smt.K.Pushpaleela-5th respondent herein had approached the Police of KU University Police Station, Warangal District and lodged a complaint stating that she is having lands in Sy.No.30 admeasuring 313 sq.yards situated at Laskar singaram outskirts and that Smt.Bojjam Rajitha and her husband with the help of others and illegally making constructions in the said house for which she filed a Civil Suit in O.S.No.559 of 2005 on the file of the Hon'ble Court of Prl. Junior Civil Judge at Warangal against one Smt.N.Shoba Rani and obtained Judgment and Decree in her favour and also filed Execution Petition No.321 of 2015 including

application for police protection in E.A.No.45 of 2015 and the Hon'ble Court passed orders in EA.No.45/2015 in EP.No.321 of 2015 in O.S.No.559 of 2005 dated 22.5.2015.

Hence, she requested the police to provide police protection to the suit schedule premises in question.

While the above petition is pending consideration, the petitioner suppressing the real facts, filed the present writ petition with false allegations.

It is submitted that as of now, this respondent never interfered with the construction activity in the subject premises of the petitioner herein.”

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 03.09.2015, furnished by the Sub Inspector of Police, KUC Police Station, Warangal District.

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

07th September, 2015

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