

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

-
WRIT PETITION No.25390 OF 2015
-

ORDER:

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

“to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus to declare the action of the 6th Respondent - The Station House Officer, Police Station Asifnagar, Hyderabad in summoning the Petitioner to the Police Station time and again inspite of there being Temporary Injunction Orders dated 23-07-2015 IA.No.55 of 2015 in OS.No.181 of 2015 on the file of Court of IV Junior Civil Judge, City Civil Court, Hyderabad, pending the Suit, extending threats to implicate the Petitioners, their family members in false criminal cases being influenced by Ex-Corporator, GHMC the 7th Respondent herein in a dispute relating to Civil in Nature, threatening the Petitioners of forceful, illegal eviction from the Immovable Property as arbitrary, illegal, unjust, violative of Articles 19 and 21 of the Constitution of India to consequently direct the Respondents 2 to 5 herein in case of failure of the 6th Respondent herein to take immediate, appropriate action against the 6th Respondent herein for his illegal acts and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. When the matter is called today, written instructions dated 20.08.2015, furnished by the Sub Inspector of Police, Asif Nagar Police Station, Hyderabad City, have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

“It is respectfully submitted that on 29.07.2015 the respondent police received complaint from one Srinivas Das Assistant City Planner Circle No. 7 against one Murad Khan who is G.P.A. holder of the petitioners

stating that some unknown persons have dismantled the inauguration stone and removed the Board showing that the said part of open space belong to GHMC and also tried to trespass the said lay out open space with an intention to grab the property of GHMC under the guise of Interim Order in LA. No. 55/2015 in O.S. No.181 /2015 which is still pending and no final order is passed.

It is further submitted that the petitioner herein creating nuisance by damaging the GHMC Board and destroyed the boundaries in to the above said area, hence to maintain law and order the respondent police register the case in Cr.No.208/2015 U/Sec. 447, 427 IPC of Asif Nagar Police station, the investigation officer took up the investigation. During the course of investigation the respondent police visited the scene of offence, and examined the 5 witness and recorded their statements. And added the section 147, 149 IPC, and the respondent police arrested the accused and released them as per law.

It is further submitted that the allegations made by the petitioner stating that the respondent police are threatening the Petitioners of forceful, illegal eviction from the Immovable Property was false and baseless and denied. And the case is under investigation.”

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 20.08.2015, furnished by the Sub Inspector of Police, Asif Nagar Police Station, Hyderabad City.

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

31st August, 2015

ss