

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 36948 of 2015

ORDER:

The prayer of the petitioner in this case is as under:

“to issue an appropriate writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.4 in illegal interference with the possession of the property of petitioner as arbitrary, illegal and violation of principles of natural justice and direct the respondent No.4 not to interfere in the civil disputes and vacate the petitioner from the property and pass such other order or orders in the interest of justice.”

2. The Inspector of Police, Shahinayathgunj Police Station, Hyderabad, filed a counter affidavit denying the allegation of the petitioner that the police authorities were interfering with the possession of the petitioner. Reference was made to the various cases in which the petitioner figures as an accused viz., F.I.R.No.232 of 2015, F.I.R.No.387 of 2015 and F.I.R.No.231 of 2015.

3. In the light of the aforestated facts, though the petitioner filed a reply affidavit rebutting the counter affidavit averments, this Court is of the opinion that the petitioner can have no grievance as to interference by the police authorities with his life and liberty. As he is involved in criminal cases, the police are bound to subject him to interrogation and examination and he can have no grievance therewith. Needless to state, the police authorities are bound to follow the due procedure laid down in this regard in the Code of Criminal Procedure, 1973.

4. That apart, as the police authorities have, by way of a sworn affidavit, stated that they are not interfering with the

possession of the petitioner over the subject property, the writ petition is closed duly recording the same. This order shall not preclude the petitioner from taking recourse to appropriate remedies in accordance with law as regards any other grievance.

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

JUSTICE SANJAY KUMAR

March 11, 2016

LMV