

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No.37561 of 2016**

**ORDER:**

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of respondents 2 & 3 in interfering with the constructed building raised by the petitioner and dispossess the petitioner there from without following the due process of law, as illegal and arbitrary.

Heard and perused the material available on record.

The case of the petitioner is that the petitioner is the absolute owner of the schedule property which is in Survey Nos.49/3, 49/5 with an extent of 166.665 square yards in Plot No.88, situated in Vadlapuri Village, Vuda Village and Vuda approval layout with L.P. 9/93, Gajuwaka Mandalam and purchased the same from his vendor one Illapu Venkata Satyanarayana on 31.10.2012 by virtue of registered Sale Deed vide Document No.2461/2012. On 18.04.2016, respondents 4 & 5 and their henchmen came to the subject property of the petitioner and obstructed the labour in the absence of the petitioner and warned the petitioner with dire consequences with the help of the 3<sup>rd</sup> respondent. The main grievance of the petitioner is that respondents 2 & 3, having colluded with respondents 4 & 5, are harassing the petitioner without any valid reason and threatening him to dispossess from subject property without following the due process of law.

Learned Public Prosecutor representing the 3<sup>rd</sup> respondent submitted that the respondent police are not interfering in any of the affairs as alleged by the petitioner.

Considering the grievance of the petitioner and also the rival contention of the 3<sup>rd</sup> respondent, the Court is of the view that the writ petition can be disposed of with the following direction:

Respondents 2 & 3 are directed not to interfere in any of the affairs of the petitioner and respondents 4 & 5, more particularly, with the civil disputes pending between them. However, this order will not stand in the way of respondents 2 & 3 to register a case, if any complaint is lodged against the petitioner for cognizable offence.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

Date: 3<sup>rd</sup> November, 2016

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**RAJA ELANGO,J**