

**HONOURABLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No.44055 of 2016**

**ORDER:**

This writ petition is filed seeking to declare the action of the 6<sup>th</sup> respondent involving personally in civil dispute over property of the petitioner bearing H.No.19-4-282/1/D/A/7 in Survey No.26, Block No.19, admeasuring 781 square yards, situated at Meersagar Village, Ansari Road, Bahadurpura, Hyderabad, as illegal and arbitrary and consequently direct the 6<sup>th</sup> respondent to proceed with the investigation in Crime No.446 of 2016, on the file of the 5<sup>th</sup> respondent according to law.

Heard and perused the material available on record.

The case of the petitioner is that the petitioner is the absolute owner and possessor of the property bearing H.No.19-4-281/D/A/7, in Survey No.26 of Block No.19, situated at Meersagar Village, Bahadurpura, Hyderabad, having purchased the same under registered Sale Deed bearing Document No.2152 of 2016, dated 20.08.2016 from his vendor namely Mohd. Aleemuddin and that subsequent to the said purchase, the petitioner's vendor raised dispute and as such the petitioner filed O.S.No.2461 of 2016, on the file of VIII Junior Civil Judge, City Civil Court, Hyderabad, against the vendors seeking permanent injunction and thereafter, the same was ended in compromise vide order, dated 09.11.2016.

The main grievance of the petitioner is that on 02.09.2016, one Shaik Nayeemuddin along with two others tried to interfere and trespass into the above said property and when the petitioner asked the said persons to stop such things, the said persons threatened the petitioner to vacate the property. Then immediately, the

petitioner lodged a complaint with the 5<sup>th</sup> respondent on 12.09.2016 and the same was registered as Crime No.446 of 2016 on 25.09.2016 for the offences under Sections 448, 427 & 506 read with 34 IPC and the same was handed over to the 6<sup>th</sup> respondent for investigation, but till now, the 6<sup>th</sup> respondent is neither investigating the matter nor taking any action against the said persons.

Learned Assistant Government Pleader for Home submitted that a case is registered against the petitioner and it is under investigation and that respondents 5 & 6 never interfered with the personal affairs of the petitioner and the accused in Crime No.446 of 2016.

Considering the grievance of the petitioner and the submissions of the learned Assistant Government Pleader for Home, respondents 5 & 6 are directed not to interfere with the affairs of the petitioner and the accused in Crime No.446 of 2016, more particularly, with the civil disputes pending between them. However, this order will not stand in the way of respondents 5 & 6 to register a case, if any complaint is lodged against the petitioner for cognizable offence.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

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**RAJA ELANGO, J**

Date: 26<sup>th</sup> December, 2016

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