

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.25247 of 2016

ORDER :

Heard the counsel for petitioner, and the learned Government Pleader for Home (Telangana) for respondents.

2. This Writ Petition has been filed by petitioner seeking a direction to respondent nos.2 and 3 to complete investigation in Crime No.272 of 2016 dt.24.06.2016 on the file of 3rd respondent.

3. The petitioner herein is tenant of one Pendyala Sheshadri, allegedly under a registered lease deed bearing Document No.744 of 2011 dt.04.02.2011 for a period of twenty-five years.

4. The petitioner contends that on account of certain disputes between himself and his landlord, and since the landlord wanted to extract more money from him and started creating nuisance / *gallatta* in the year 2014, he approached the police officials; that he also filed a suit for temporary injunction against the landlord Sri Pendyala Sheshadri in O.S.No.684 of 2014 and also obtained an interim injunction in the said suit in I.A.No.1150 of 2014; that one Maddi Yellareddy and others tried to enter into

the property which is allegedly in his possession; that he objected to the same and questioned them and they told him that they purchased the property; that the sub-Registrar had put the properties in the prohibited property list, and in that situation, the sale deed executed in favour of purchaser could not have been executed; that his landlord had willfully executed the sale deed by suppressing facts in collusion with the purchaser with the assistance of two others and gave false information to the public servant (i.e., Sub-Registrar, Khammam) in spite of the property being put in prohibited list by the Sub-Registrar Office, Khammam; and therefore he sought prosecution of his landlord and two other persons by filing a complaint on 31.05.2016.

5. In my considered opinion, the injunction obtained by petitioner is only to restrain petitioner's landlord from interfering with his possession and enjoyment of the property. It is not known how the property could have been put in prohibited list by the Sub-Registrar Office, Khammam since there is no injunction restraining alienation of the property by the landlord of the petitioner.

6. Essentially, this is a civil dispute and a civil suit filed by petitioner is admittedly pending before the Senior Civil Judge, Khammam.

7. Therefore, I am not inclined to entertain the Writ Petition and direct investigation into the Crime No.272 of

2016 registered on 24.06.2016 on the file of 3rd respondent.

8. Accordingly, the Writ Petition is dismissed. No order as to costs.

9. As a sequel, miscellaneous petitions pending if any in this Writ Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 02-08-2016

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