

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40685 of 2016

ORDER:

This writ petition is filed seeking to declare the action of the 2nd respondent in seizing, closing by locking the petitioner rented premises i.e., premises bearing Municipal No.16-18/63/2 consisting of two mulgies, situated opposite Green Point Hotel, Rose Land Colony, Saidabad, Hyderabad, at the instigation of respondents 3 to 6 in spite of the petitioner's complaint, dated 27.10.2016, as illegal and arbitrary and consequential direction to the 2nd respondent to recover the keys pertaining to the petitioner's leased premises to the petitioner immediately including interference by respondents 2 to 6 over the petitioner's lease premises in any manner.

Heard and perused the material available on record.

The case of the petitioner is that the petitioner is the lease holder of the premises bearing Municipal No.16-18/63/2 consisting of two mulgies, situated opposite Green Point Hotel, Rose Land Colony, Saidabad, Hyderabad, belonging to respondents 3 to 6 and running business of hotel under the name and style of M/s. Hotel Ever Green by raising loans from friends and relatives and that since August, 2016, respondents 3 to 6 have been demanding the petitioner to vacate the subject property and that respondents 3 to 6 are threatening the petitioner since August, 2016, to throw the material out of the subject property, if the petitioner fails to vacate the premises and that on 27.10.2016, respondents 3 to 6 and their henchmen came to the said premises and threatened the petitioner and his labour with dire

consequences by throwing the material on the streets and in that context, the petitioner lodged a complaint to the 2nd respondent. The main grievance of the petitioner is that the 2nd respondent, with the instigation of respondents 3 to 6, locked the said premises on 11.11.2016 and handed over the key to respondents 3 to 6.

Learned Assistant Government Pleader for Home, on written instructions of the 2nd respondent, informed that the 2nd respondent never interfered in the affairs of the petitioner and respondents 3 to 6 and that the 2nd respondent never closed the shop of the petitioner and the 2nd respondent has not handed over the key of the said Hotel to respondents 3 to 6.

Recording the said submission, the Writ Petition is dismissed. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO, J

Date: 9th December, 2016

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