

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 32122 OF 2017

ORDER:

The relief of the nature sought for in the Miscellaneous Application to the effect that there shall be a direction to Respondents 2 and 3 Station House Officer and Sub-Inspector of Police, Pahadi Shareef Police Station respectively not to dispossess the petitioner, without following due process of law, from his land admeasuring Ac.0.19 guntas in Survey Nos. 20, 21 and 22 situated at Jalpally Village, Saroornagar Mandal, Ranga Reddy District, is not capable of being granted in the Writ Petition, wherein the main relief is to declare the action of Respondents 2 and 3, under the influence of the 4th respondent, in interfering with the possession of the petitioner over his land, as illegal and arbitrary.

Heard learned counsel for the petitioner.

Now, it is brought to the notice of this Court by the learned Government Pleader for Home (Telangana), based on the written instructions submitted by the Sub-Inspector of Police, Bichkonda Pahadishariffi Police Station that there are civil disputes between the petitioner on the one hand and the 4th respondent on the other. According to the learned Government Pleader, Crime No. 215 of 2017 for the offences punishable under Sections 420, 468 and 471 of the Indian Penal Code and Crime No. 296 of 2017 for the offences punishable under Sections 447 and 427 of the Indian Penal Code, were registered against the petitioner on the file of the 3rd respondent police Station on the complaint of the 4th respondent and they are pending.

In the light of the submissions made by the learned Government Pleader and also in view of the fact that O.S. No. 1502 of 2006 has already been filed for partition of the subject property before the Court of the II Additional Senior Civil Judge, R.R. District at L.B. Nagar, the petitioner is given liberty to avail the injunctive relief against the 4th respondent. It is made clear that if any of the officers of the State are interfering with the possession of the petitioner, as the same is not authorised by law, he shall also be at liberty to implead those individuals in their eo nomine capacity as party respondents to the suit and seek injunctive relief against them in an appropriate Court.

Subject to the above, the Writ Petition stands disposed of.
No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

21st September 2017

ksld

CHALLA KODANDA RAM, J