

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.23445 OF 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, came to be filed seeking to declare the action of respondent Nos.3 and 4 in ordering eviction of the petitioner from the portion of premises No.6-81, Raju Colony, Balanagar, Hyderabad, as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home appearing for respondents. With their consent, the Writ Petition is disposed of at the stage of admission itself.

The case of the petitioner, as seen from the affidavit filed in support of the Writ Petition, is that he was appointed as 'Pastor' by the M.B. Board of Evangelism & Church Ministries, by an order dated 06.09.2012 and since then he has been residing in the first floor of the church premises. While so, some members of the Church have formed into a Society and started interfering with the activities of the Church. Further, the President of the said Society filed O.S.No.99 of 2017 on the file of the Additional Junior Civil Judge, Kukatpally at Miyapur, wherein the said Court vide its order dated 30.06.2017 in I.A.No.362 of 2017 granted interim injunction restraining the respondents therein and their agents, servants or any other persons claiming through or under them from interfering and causing disturbance to the devotees and the executive committee activities of the Church during the prayers especially in the Church i.e. petition schedule property. The grievance of the petitioner is that though the said order nowhere

refers to any objection in petitioner staying in the said premises, the respondents-Police are insisting the petitioner to vacate the premises attached to the Church. Aggrieved by the said action, the present Writ Petition came to be filed.

Learned AGP denied the allegations made in the affidavit filed in support of the writ petition.

Having regard to the facts in issue, the Writ Petition is disposed of directing the respondents-Police not to interfere with the civil disputes in respect of the Church. However, if they intend to take any action against the petitioner, they shall follow the procedure established under law. Further, if any person approaches the respondents-Police seeking Police aid for implementation of any Court order, it is always open to them to act thereupon, in accordance with law.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. No costs.

C. PRAVEEN KUMAR, J

17.07.2017
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