

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 151 of 2017

Order:

This Writ Petition was filed challenging the action of the respondents in trying to interfere with the petitioners property in Survey Nos.13 to 60, admeasuring Ac.80-00, situated at Karmanghat village, Saroornagar Mandal, Ranga Reddy district and land in Survey Nos.24 to 39, admeasuring Ac.60-20 gts., situated at Meerpet village, Saroornagar Mandal, Ranga Reddy District, totally admeasuring an extent of Ac.140-20 gts.

A counter affidavit is filed by the Station House Officer, Meerpet Police Station, who is the fifth respondent herein stating that the seventh respondent lodged a complaint stating that his father-in-law was the owner of the property of an extent of 350 sq. yards in Plot No.457, having purchased the same from the sixth respondent, and his father-in-law transferred the said property to his wife. He along with his wife went to USA during the period 10.05.2016 to 01.08.2016 and after returning to India they noticed a board erected in the name of one 'Ashok Reddy' and on 28.09.2016 they noticed another board in the name of 'M.A. Saleem' and contact number was also given on the notice board. Thereafter, he noticed some construction activity. The said MA Saleem showed some documents including GPA document, which is a created document. It is stated that based on the complaint lodged by the seventh respondent, Crime No.744 of 2016 was registered on 14.10.2016 and investigation was taken up. During the course of investigation the complainant was examined and a detailed statement was recorded. During the course of investigation the fourth accused, Mohammed Saleem filed W.P. No.38920

of 2016 and the same was disposed of on 11.11.2016 directing the police not to arrest him. The petitioners had not taken any steps for establishing their title or preventing the other party from interfering with their property, when they are claiming right to the property.

As stated above, a crime is already registered at the instance of the seventh respondent. In the circumstances, this Court cannot interdict the investigation of the crime and it is open to the petitioners to take appropriate civil proceedings in accordance with law with respect to the property claimed by them.

With the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

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

A. RAMALINGESWARA RAO, J

Date: 01.02.2017
Nsr

