

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.3805 of 2017

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Home for respondents and perused the prayer in the writ petition with the supporting affidavit and other material on record.

It is the supporting affidavit averment that without any basis the 3rd respondent-SHO, Humayun Nagar Police Station, is interfering by visiting the property with the construction work of the petitioners at plot No.6, Venkatadrinagar Colony, Humayun Nagar, Asif Nagar, Hyderabad, bearing door No.10-3-282/A/12.

The very counter affidavit of the 3rd respondent clearly speaks that in relation to said plot No.6 of Venkatadrinagar Colony there are in all 13 crimes were registered and taken up investigation which includes the charge sheets filed in 5 cases and one case already ended in acquittal outcome of crime No.371/2010 and two cases referred as of civil nature and in pertaining to crime No.298/2014 of CCS, Hyderabad against Mohd. Ali Islami Mathewn and others, Mathewn was arrested and he made disclosure of Ali Islami created false sale deeds. On 07.02.2017 at about 01.30 PM, there was information to the police control room that the petitioners herein are carrying the construction without valid permit and using heavy lorries and creating sound pollution and causing disturbance to neighbourhood at the subject property registered petty case No.39/2017 that is also under investigation and on same day 07.02.2017 Mohd. Anus Irfan lodged a report with Humayun Nagar Police Station in relation to selfsame subject

property and it is covered by crime No.38/2017 against Mohd. Ali Islami and Zubair Khan, who is the writ petition 1st petitioner entity's managing partner it appears and they are in abscondence and they are not interfering with the construction work as alleged, but for investigating the said crimes including the two in question.

Having regard to the above and by recording the fact that they are not interfering with the alleged construction, which is very prayer in the writ petition, this Writ Petition is closed.

Consequently, miscellaneous petitions, if any shall stand closed. No costs.

Date: 23.04.2018
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JUSTICE Dr. B.SIVA SANKARA RAO

