

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.5642 OF 2018

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for Home (TG) appearing for the official respondents.

2. When the matter is taken up, written instructions, dated 20.02.2018, furnished by the Sub-Inspector of Police, Rein Bazar Police Station, Hyderabad are placed on record by the learned Government Pleader for Home. The said instructions read as under:-

“The facts of the case are that the respondent No.7 Sajjad Ali Humayun had lodged a complaint dated 15.02.2018 with the 5th respondent Station House Officer, Rein Bazar Police Station, Hyderabad, wherein he alleged that the complainant/7th respondent is owner and possessor of House bearing No.17-3-371/1, situated at Yakurpura, Bada Bazar, Imliban road, Hyderabad by virtue of ancestral property. With regard to the said property O.S.No.2209/2016 and O.S.No.5/2017 on the file of III Additional Chief Judge, City Civil Court, Hyderabad are pending against the petitioner herein. The petitioner evaded to receive the notices. On 15.02.2018 the petitioner came to the complainant’s house and demolished front pillars of the house of the complainant with bulldozer with an intention to sell the pillars material. It is submitted that pursuant to the complaint of the 7th respondent, the 5th respondent enquired the matter and revealed that there was a civil dispute between the petitioner as well as respondents 6 and 7 in O.S.No.1436/2017 on the file of II Junior Civil Judge, City Civil Court, Hyderabad, O.S.No.2209/2016, O.S.No.5/2017 on the file of III Additional Chief Judge, City Civil Court, Hyderabad and A.S.No.259/2017 on the file of II

Additional Chief Judge, City Civil Court, Hyderabad with regard to the House bearing No.17-3-371/1, situated at Yakurpura, Bada Bazar, Imliban road, Hyderabad. As the matter relates to civil in nature, hence the 5th respondent suggested the 7th respondent complainant to approach the civil court for redressal. In this regard entry was made into the General Diary. It is submitted that except receiving the complaint from the 7th respondent, the 5th respondent did not interfered with the civil dispute between the petitioner as well as respondents 6 and 7 with regard to the House bearing No.17-3-371/1 and 17-3-371/1/A, admeasuring 1289 sq.yards, situated at Bada Bazar, Yakurpura, Hyderabad at any point of time.

It is submitted that the contention of the petitioner that the respondents 4 and 5 Assistant Commissioner of Police, Mir Chowk Division and the Station House Officer, Rein Bazar Police Station, Hyderabad interfered with the civil dispute and tried to dispossess the petitioner from House bearing No.17-3-371/1 and 17-3-371/1/A, admeasuring 1289 sq.yards, situated at Bada Bazar, Yakurpura, Hyderabad at the behest of the respondents 6 and 7 Mohd.Khaja Nizamuddin and Syed Sajjad is incorrect, baseless, far from truth and has been created for the purpose of filing the present writ petition.

It is submitted that the allegation of the petitioner that the respondents 4 and 5 Assistant Commissioner of Police, Mir Chowk Division and Station House Officer, Rein Bazar Police Station, Hyderabad summoned the petitioner to their offices and pressurized the petitioner to settle the issue with the respondents 6 and 7 and 5th respondent abused in filthy language and directed the petitioner not to deal with the subject property and threatened to implicate the petitioner in false cases is incorrect and baseless. It is submitted that the 5th respondent did not summon the petitioner to the Police Station and did not direct the petitioner to settle

the civil dispute with the respondents 6 and 7 at any point of time.”

3. Having regard to the above said instructions, and taking into consideration the submissions of the learned counsel for the petitioner, the Writ Petition is disposed of, by placing on record the above said instructions. There shall be no order as to costs.

4. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE A.V.SESHA SAI

Date : 21.02.2018
AMD



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