

THE HON'BLE SRI JUSTICE P.KESHA VA RAO

WRIT PETITION No.30626 OF 2015

ORDER:

There is no representation on behalf of the petitioners.

The prayer sought for in the writ petition is as under:

“to issue an appropriate Writ Order of Direction more particularly one in the nature of the Writ of Mandamus declaring the action of the 2nd respondent in interfering and obstructing the construction of the Compound Wall by the petitioners in the Open Plot No. 19 admeasuring 119 sq. yards situated in Party Survey Nos. 440, 441 and 442 of Old Safilguda under Block No. 30, Malkajgiri Village under GHMC of Malkajgiri Circle, Malkajgiri Mandal, Ranga Reddy District without following due process of law as illegal, arbitrary and violative of Article 300-A of the Constitution of India and consequently direct the 2nd respondent not to interfere with the construction of the compound wall by the petitioners in the above said property belong to the petitioners.”

The 2nd respondent filed a counter affidavit stating that one M.Narayana Murthy lodged a complaint on 23.04.2015 alleging that he has been in possession of the land admeasuring Ac.3.20 gts., covered by Sy.Nos.432/1, 433/1 and 434/1, situated at Old Safilguda. However, some land grabbers created forged and fabricated documents for wrongful gain and basing on the said documents, sale deeds were created in favour of petitioners herein. Based on the said complaint, a case in Crime No.225 of 2015 for the offences under Sections 447 and 420 I.P.C. was registered on the file of Neredmet Police Station, Cyberabad on 23.04.2015 and investigation was taken up. The petitioners herein are shown as Accused Nos.2 and 3. During the course of investigation, the complainant and other witnesses were examined and their

statements were recorded. After coming to know about the registration of the crime, the petitioners filed the present writ petition as a precautionary measure to prevent the respondents-police from taking further action against them. It is also stated in the counter affidavit that the respondents-police never interfered with the construction of the compound wall by the petitioners as alleged. They have never interfered with the civil disputes between the petitioners and the said M.Narayana Murthy.

Having regard to the above, this Court is of the opinion that no further orders are required in the writ petition and the same is accordingly dismissed. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

P.KESHA VA RAO,J

06th DEC EMBER 2018.
Tsr

