

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.7221 of 2018

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking verbatim the following relief:

“For the reasons stated in the accompanying Affidavit, it is humbly prayed that this Hon'ble Court may be pleased to issue an appropriate Writ or Order or Direction more particularly one in the nature of Writ of Mandamus directing the 2nd respondent herein to not to interfere in civil disputes arising out of the commercial transactions between the petitioners and the 3rd and 4th Respondents and to not to interfere with the works and possession of the Petitioner Company in Villa No.16, Grand Boulevard, Kokapet, Rajender Nagar Mandal, Ranga Reddy District and to pass such further orders as this Hon'ble Court may deem fit in the facts and circumstances of the case.”

(Reproduced verbatim)

2. I have heard the submissions of *Sri T.C.D.Sekhar*, learned counsel appearing for the petitioners; and, of the learned Government Pleader for Home (TS) appearing for respondents 1 and 2. I have perused the material record.

3. Learned counsel appearing for the petitioners would submit as follows: ‘The 1st petitioner, who is a developer, purchased the property from the vendors along with the 3rd respondent/ co-purchaser insofar as the subject Villa. When the construction of the said Villa is in progress and when an attempt is made for payment of part of sale consideration of 20% payable by the 3rd respondent to the 1st petitioner, the 2nd petitioner and the Managing Director of the 1st petitioner were implicated in two criminal cases. The 2nd petitioner is arrested and subsequently enlarged on bail. There was no progress in the investigation. The police are interfering with the construction activity though they are no way concerned with the said activity. The 2nd petitioner already

filed criminal petitions before this Court and that in one of the criminal petitions, an interim order was granted, on 06.03.2018, in I.A.no.1 of 2018 in CrI.P.No.2728 of 2018 staying the investigation for a period of two months insofar as the case in Crime no.853 of 2017 on the file of Narsingi Police Station.' He would further submit that if a direction is given to the police not to interfere with the construction activity, the grievance of the petitioners stands redressed.

4. Learned Government Pleader, on instructions, would submit that on a complaint lodged against the petitioners two crimes, viz., Crime no.86 of 2018 and Crime No.118 of 2018 were respectively registered on 01.02.2018 and 10.02.2018 by the Station House Officer, Narsingi Police Station, for various offences punishable under the Indian Penal Code and that the Managing Director representing the 1st petitioner and the 2nd petitioner are the accused in the said two crimes and that the allegations attributing overt acts with regard to the interference with the construction of the subject Villa by the petitioners are all false and are only invented to divert the attention of the investigating agency from the correct line of investigation.

5. Having regard to the submissions, this Court is of the considered view that the writ petition can be disposed of recording the submissions of the learned Government Pleader for Home that the police are not interfering with the construction activity of the Villa being undertaken by the petitioners.

6. Accordingly, the Writ Petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

19.03.2018
RAR

M. SEETHARAMA MURTI, J

