

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.10518 of 2018

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner questioning the action of respondents 4 to 6 in interfering with the civil dispute between the petitioner and the seventh respondent in respect of the house bearing Door No.4-102, Plot No.65 situated in Survey No.52, Meerpet Village, Balapur Mandal, Ranga Reddy District, *inter alia* stating that she *bona fide* sold the said house to the seventh respondent under a registered sale deed, dated 15.03.2017, and delivered possession of the same to the seventh respondent and that despite the said fact, the said police officers are interfering with the civil dispute at the instance of the seventh respondent.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Home (Telangana) appearing for respondents 1 to 6. Perused material record.

3. Learned counsel for the petitioner would submit that if the seventh respondent has got any grievance with regard to the subject property, which was sold by the petitioner, it is for him to approach the Civil Court and obtain necessary orders, but the respondent-police officers cannot harass the petitioner at the instance of the seventh respondent.

4. Learned Government Pleader for Home, on written instructions, dated 29.03.2018, a copy of which is placed on

record, would submit that the seventh respondent lodged a private complaint before the Court of II Metropolitan Magistrate, Cybearabad, at L.B. Nagar; that on reference of said complaint by the learned Magistrate, a case in Crime No.536 of 2017 was registered by the Station House Officer, Meerpet Police Station, Rachakonda Commissionerate, on 11.10.2017, for the offences punishable under Sections 420, 408, 447, 427, 467, 468, 506 and 120(B) I.P.C. read with Section 34 I.P.C; that investigation into the said case is taken up; that the petitioner herein is shown as A.1 in the said crime; that a notice under Section 41A of the Code of Criminal Procedure, 1973, was also served to Accused No.3 with necessary instructions; and, that investigation into the said crime is in progress.

5. Having regard to the submissions, the writ petition is disposed of directing the sixth respondent not to call the petitioner to the police station except in connection with the investigation into the aforestated crime, that too, without following the due procedure established by law. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

M. SEETHARAMA MURTI, J

Date: 16.04.2018
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