

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.13519 of 2018

ORDER:

In this writ petition, under Article 226 of the Constitution of India, the grievance of the writ petitioner is that at the instance of the 5th respondent, the Station House Officer, Medpally Police Station, Rachakonda Comissionerate/4th respondent herein, is interfering with the peaceful possession and enjoyment of the petitioner over House Plots bearing Nos.11/A & 12/A, admeasuring 534 square yards, in Survey No.92, situated at Boduppall Village and Gram Panchayath, Ghatkesar Mandal, Ranga Reddy District, despite a decree and judgment, dated 09.08.2016, in favour of the petitioner and against the 5th respondent in O.S.No.566 of 2015, on the file of the Principal Junior Civil Judge, Ranga Reddy District, at L.B. Nagar, in respect of the same property and despite the further fact that the said decree and judgment have become final.

2. I have heard the submissions of Sri *G.Rajeshwar Reddy*, learned counsel appearing for the petitioner, and of the learned Government Pleader for Home (Telangana), appearing for the respondents 1 to 4. I have perused the material record.

3. Learned counsel for the petitioner would submit as follows:
“Despite suffering a decree and judgment in the above suit and registration of a case in Crime No.638 of 2015 against the 5th unofficial respondent, for the offences punishable under Sections 447, 427 & 506 of Indian Penal Code, 1860, interference is being caused to the peaceful possession and enjoyment of the said decree

schedule property of the petitioner. The petitioner is being compelled to compromise the matter with the 5th respondent.”

4. Learned Government Pleader, on written instructions, dated 18.04.2018, a copy of which is placed on record, would submit that except investigating into the afore-stated crime and filing a charge sheet, no further steps are taken by the Police Officer concerned and that the allegations in the writ petition contrary to the facts are all false and invented and that no interference with the alleged possession of the petitioner over the subject property was ever caused and that the petitioner was also not compelled to settle the matter with the 5th respondent.

5. In reply, learned counsel for the petitioner submits that in view of the submissions of the learned Government Pleader, the writ petition may be disposed of.

6. Recording the submissions, the Writ Petition is disposed of directing the 4th respondent not to call the petitioner to the Police Station in view of the completion of the investigation into the afore-stated crime and filing of a charge sheet and not to aid the 5th respondent in the civil dispute in which he suffered a decree and judgment in the afore-stated suit. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order.

M.SEETHARAMA MURTI, J

Date: 26th April, 2018

Note: Issue C.C. on 28.04.2018.

(B/o.)

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Date: 26th April, 2018

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