

THE HON'BLE SRI JUSTICE P.KESHAHA RAO

WRIT PETITION NO. 36178 OF 2014

ORDER:

Heard both sides.

2. The prayer sought in the Writ Petition is as under:

“...to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 5th respondent by summoning the petitioner to the Kalapathar police station, harassing and forcing to settle the civil disputes in case in O. S. No. 612 of 2014 on the file of Hon'ble VIII Junior Civil Judge, City Civil Court at Hyderabad and R. C. No 107 of 2014 on the file of the Hon'ble VI Additional Rent Controller, City Small Causes Court at Hyderabad, which are illegal, highhanded, arbitrary, unconstitutional and against the principles of natural justice and consequently direct the 5th respondent not to interfere, harass or evict the petitioner and his family from the said property bearing Municipal H. No. 19-2-24/26/7, consisting of Two Rooms, One Hall, Kitchen. Latrine and Bathroom, admeasuring 80.0 Sq. yds. situated at Alibagh, Kalapathar, Hyderabad.”

3. Learned GP appearing for the respondent Nos. 1 to 5 placed on record the written instructions dated 2.12.2014 issued by the Sub-Inspector of Police (I.O.), Kalapathar P.S. stating that based on a Court referred case, they have

registered Cr.No.59 of 2014 under Sections 354, 384, 448, 506, 323 read with 34 IPC and took up investigation. During the course of investigation, they have recorded the statements of LWs 1 to 4. Except taking up investigation pursuant to the said crime, the investigating officer has not at all interfered in the personal life and liberty of the petitioner, more particularly, threatening the petitioner to vacate the house. It is also stated in the written instructions that the matter is purely civil in nature and the parties have to work out their remedies in the appropriate Court of law.

4. In the light of the above statements made in the written instructions, this Court is of the opinion that no further orders are required in this Writ Petition.

5. The written instructions are made part of the record.

6. Accordingly, the Writ Petition is closed.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

P. KESHAVA RAO,J

Date: 8.11.2018

KPM