

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.23360 of 2018

ORDER:

This writ petition is filed aggrieved by the action of the 5th respondent in interfering in civil matter.

Learned Assistant Government Pleader for Home produced written instructions stating that one S.Yashaswini i.e. implead petitioner has approached the Narayanaguda Police Station and lodged complaint against K.Sundaraiah stating that she has taken Sri Kubera Hotel through registered lease deed from one Anjaiah on 26-09-2017 and on 03-07-2018 one Sri Kallepalli Sundaraiah alias K.Sundar along with rowdy elements criminally trespassed into the said hotel and threatened her and her staff with dire consequences and on the same day said K.Sundaraiah approached the Narayanaguda Police Station, Hyderabad and lodged a complaint on 03-07-2018 stating that he is having GPA of the lease deed dated 15-06-2018 and that on 03-07-2018 at 12.30 pm when he was trying to enter in his business premises along with his friends and relatives , the 2nd license holder i.e. implead petitioner and her advocate restricted him and abused him and requested to take necessary action as per law. Immediately upon the said complaint on 03-07-2018, entry was made in the General Diary. It is stated that after enquiry, action will be taken. Both parties complained each other to take necessary action on their complaints. Since dispute of the complainants is civil in nature, no action has been taken whatsoever till date. It is further stated that as precautionary measure to prevent the police from taking any action in the event of registration of any crime against him, the petitioner filed the writ petition. It is also denied that the respondent police took him to

police station and forced him to sit in the police station by 6.30 pm saying that he does not have any right to enter into the hotel premises. The allegation of the petitioner is that they approached the police on 04-07-2018 and 05-07-2018 and the police pressurized him to sell his share to implead petitioner is also denied. The police never summoned the petitioner nor asked him to sit in the police station.

Heard learned counsel for the petitioner as well as learned counsel for the implead petitioner.

Having regard to the above, it appears that there is also civil litigation between the petitioner and the implead petitioner. The only allegation in the writ petition is that the police are interfering in the civil disputes. The respondent-police have denied the same. Both counsel tried to argue the matter on merits and tried to assert their rights. The scope of writ petition is only regarding interference of the police in civil disputes. In view of the same, the respondent-police cannot interfere with the civil disputes between the parties.

Recording the same, the writ petition is disposed of. If any criminal cases are registered, it is open for the respondent-police to investigate the same. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

18-07-2018

Nvl



