

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.24623 of 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

“to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 3rd respondent police in not taking any action against the 4th respondent who is my daughter in law and wife of my son is illegally staying in my house and giving threatening and trying to thrown out the petitioner from the house of the petitioner bearing Door No 6-2-108, Nirmala Nagar, Opp United Church, Sainikpuri, Hyderabad is illegal, arbitrary and against the principles of natural justice and also violative of Articles 14, 19, 21 and 300-A of Constitution of India and consequently direct the respondents police to take action against the 4th respondent.”

2. Learned counsel for the petitioner submits that the house claimed by the 4th respondent, who is none other than daughter-in-law of the petitioner, belongs to the petitioner. The said house was allotted in favour of husband of the petitioner by the Government in the year 1981; that from the date of allotment, the petitioner is in possession and enjoyment of the same; that the 4th respondent, without having any right over the said property, is interfering and is not allowing the petitioner to live in the house; that in view of the highhandedness of the 4th respondent, the petitioner approached the 3rd respondent and requested him to take action against her; but, till date the 3rd respondent has not taken any action.

3. Learned Assistant Government Pleader for Home, on instructions, submits that as on today no complaint is received from the petitioner for taking action. He further stated that if any

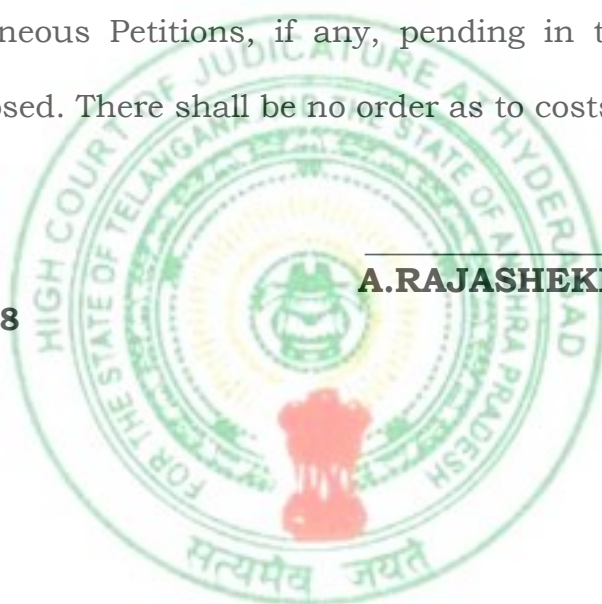
complaint is available, the 3rd respondent will take appropriate action in accordance with law.

4. Since the petitioner has not produced any proof regarding giving of complaint to the 3rd respondent and a copy thereof is also not produced before this Court, the Writ Petition is disposed of granting liberty to the petitioner to file a fresh complaint with the 3rd respondent and as when such complaint is received, the 3rd respondent shall take appropriate action thereon, in accordance with law.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JULY 23, 2018
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A.RAJASHEKER REDDY, J



HON'BLE SRI JUSTICE A.RAJASHEKER REDDY



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Date:23.07.2018

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