

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION No.18367 OF 2013

ORDER:

There is no representation on behalf of the petitioners.

The prayer sought for in the writ petition is as under:

“to issue a writ of mandamus declaring the action of the respondent No.2 in sending respondent No.3 and constables to the house and office of the petitioners regularly and interfering with their peaceful life and liberty and coercing the petitioners for settling the civil disputes concerning the property bearing H.No.2-4-784 on plot No.64-A, admeasuring 250 sq.yds., situated at Road No.2, New Nagole, L.B.Nagar, in favour of respondents 4, & 5, as illegal, arbitrary and in violative of Articles 14 & 21 of the Constitution of India and consequently, direct the respondent No.2 and 3 not to interfere with the peaceful life and liberty of the petitioners without following due process of law.”

During the course of hearing, the learned Government Pleader appearing for respondents 1 to 3 filed a copy of written instructions received from the Sub-Inspector of Police, L.B.Nagar Police Station. A perusal of the said instructions would reveal that the 5th respondent lodged a private complaint before the II Additional Judicial First Class Magistrate, Cyberabad, L.B.Nagar alleging that the petitioners and others entered into an agreement of sale with the 5th respondent in respect of H.No.2-4-784, situated at New Nagole, L.B.Nagar and received advance sale consideration. But the petitioners, with a mala fide intention, sold the said property to one N.andlraju Vijaya Laxmi, N.Daya Sagar and Nandiraju Sriram by registered sale deed vide document

No.2348/2013 and delivered possession to them. As such, the said persons have cheated him. In that connection, a crime was registered vide F.I.R.No.760 of 2013 under Sections 110, 120-B, 420, 417 I.P.C. on 17.06.2013 against the first petitioner and others. During the course of investigation, it was revealed that the first petitioner suppressed the facts to A.2 to A.4 about entering into agreement of sale and sold the property to A.2 to A.4 through registered sale deed. In that connection, the 5th respondent filed a complaint stating that one D.Jaya Bharath Reddy i.e. the 2nd petitioner herein and others have threatened with dire consequences to withdraw the said criminal case. Basing on the same, Crime No.862 of 2013 under Sections 110, 120-B, 420, 417, 506 I.P.C. has been registered. It is also stated that the respondents 2 and 3 never demanded the parties to settle the disputes. In the light of the above, the contention raised by the petitioners that the respondents 2 and 3 are interfering with the civil disputes is not correct. As such, there are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. It is needless to observe that since the crimes have already been registered, the respondents 2 and 3 are directed to comply with the procedure as contemplated under Section 155 of Cr.P.C. and take appropriate steps. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

P.KESHAVA RAO,J

06th NOVEMBER 2018.

Tsr