

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.35944 of 2018

ORDER:

When the matter is taken up, written instructions, dated 03.10.2018, furnished by the Sub Inspector of Police, Golconda Police Station, are placed on record by the learned Government Pleader. The said instructions, to the extent of their relevance to the present Writ Petition, read as under:

“One Mr.Mirza Khaled Baig/4th respondent herein has approached this respondent police station of Golconda and lodged a complaint on 12.9.2018 stating that he is the owner of property bearing Municipal No.8-1-40/A/4/1 admeasuring 160 sq.yards situated at 3amatha colony, Shaikpet, Tolichowki, Hyderabad by virtue of registered gill settlement deed datted 30.1.2006 executed by his father who was the original owner and possessor of the said property and leased out the said property to run servicing centre in favour of his tenant Mr.Nademuddin @ Nadeem, son of Shaik Mahmood and the said Nademuddin has stopped the paying of rents and running business, for which, he filed a Civil Suit against Mr.Nadeemuddin in O.S.No.1312/2017 and obtained injunction orders I.A.No.197/2018 in O.S.No.1312/2017 dated 19.6.2018 on the file of the IV Senior Civil Judge, City Civil Court, Hyderabad and at present they started civil works in his subject property by violating the injunction orders and hence requested to take necessary action against Mr.Nadeemuddin @ Nadeem as per law.

Upon receipt of the said complaint, an entry was made into the Station General Diary on 12.9.2018, after enquiry action will be taken. Since the dispute is purely civil in nature, no action was taken on the said complaint and immediately advised the complainant to seek his redressal in a competent Court of law.

Except the above complaint on the subject property of the petitioner herein, this respondent never interfered with the subject property of the petitioner herein. It is pertinent to submit that no case whatsoever was registered against the petitioners herein as there is no complaint from any one against the

petitioners. This respondent never summoned the petitioners nor sent any of the constables to the subject property.

It is submitted that the allegation of the petitioner that this respondent is sending the police constables to the property who are creating nuisance and threatening their tenants to vacate the premises is utterly false and hence denied. I humbly submit on the complaint of the 4th respondent herein, this respondent has caused preliminary enquiry into the matter and advised the complamant/4th respondent to seek his redressal in a competent court of law as already a civil suit in O S.NO.1312/9017 filed by him is pending consideration over the subject property in question. It is pertinent to submit that on coming to know the lodging of the complaint t by the 4th respondent herein, the petitioners to prevent the police from taking any action filed the present writ petition on mere apprehension without any cause of action”.

By placing on record the above written instructions, Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

24th October, 2018
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A.V.SESHA SAI, J