

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.39976 of 2018

ORDER:

When the matter is taken up, written instructions dated 13.11.2018 furnished by the Station House Officer, Gachibowli Police Station, Cyberabad, are placed on record by the learned Government Pleader for Home.

To the extent of their relevance to the present writ petition, the said instructions read as under:

“It is submitted that the 2nd Respondent Police i.e., Gchibowli Police are not interfering with the possession of the petitioner in respect of Plot No.220 admeasuring 181 sq.yards or 152 sq.mts in Sy.No.203/P, 204, 205, 206, 207, 208, 209 and 210/P situated at Manikonda Jagir Village, Rajendranagar Mandal, Rangareddy. The Gachibowli Police are not directing the petitioner to stop construction activities on the said plot. The Police are not in collusion with the Respondents 3 and 4 and not interfering with the petitioner’s possession in respect of the said Plot at the instance of the said Respondents 3 and 4. the allegations to the contrary made in the affidavit are not correct and hereby denied.

It is pertinent to submit here that one S.Gopal Member of Hyderabad District Government Employees Co-operative Housing Society Ltd. R/o.TNGO Colony, Near Financial District, Mani Nagar, Manikonda, Gachibowli, Serilingapally X Road, K.V.Ranga Reddy, Telangana has filed a Private Complaint against 1) G.Jaipal Reddy 2)S.Vishwanath 3)J.Ramachandriah 4) A.Kashiram 5) M.Omreddy on the file of Hon’ble IIX Metropolitan Magistrate, Cyberabad at Kukatpally stating that A-1 got membership by producing fake documents and got allotment of Plot No.220 thereby his membership was removed and allotment of Plot ws cancelled. Later, Plot No.220 was allotted to P.Mallesha (petitioner herein). After that, A-1 by bringing anti-socail elements with the suppot of A-2 to 5 threatening thae labour at the premises of Plot No.220 and indulging to criminal trespass. The Complainant prayed the Hon’ble Court to punish the accused u/s.384, 406, 420, 427 and 506 IPC. The Hon’ble

IX M M Cyberabad at Kukatpally forwarded the said Private Complaint vide Dis.No.1807/2018 dated 26.09.2018 to the Police Station for investigation and report.

It is submitted that based on the above private complaint, a case in Crime No.759/2018 u/s 384, 406, 420, 427, 447, 506 IPC r/w 156 (3) Cr.P.C dated 11.10.2016 was registered and took up for investigation. During the course of investigation, the complainant was examined and recorded his detailed statement and the investigation in the Crime is in progress. It is submitted that as per the Private Complaint, the petitioner was re-allotted Plot No.220. In the said circumstances, the petitioner was asked to furnish the documents relating to allotment of Plot No.220 in his favour for proceeding with further investigation. During the course of investigation the Police also visited the Plot No.220 examined it and drawn rough sketch of the same. It is submitted that the case is under investigation for examination of some more witnesses and collection of evidence.

It is submitted that as stated above, for proceeding with the investigation the police visited the petitioner's plot but did not interfere with the possession of the petitioner or directed the petitioner to stop construction over his plot. It is submitted that the writ petition is devoid of any merits and it is liable to be dismissed."

On noticing the above instructions, a request is made by the learned counsel for the petitioner to place the said instructions on record and dispose of the writ petition.

Accordingly, the writ petition is disposed of by placing on record the written instructions dated 13.11.2018 furnished by the Station House Officer, Gachibowli Police Station, Cyberabad. There shall be no order as to costs.

Miscellaneous Petitions pending consideration, if any, in this Writ Petition shall stand closed.

JUSTICE A.V.SESHA SAI

Date :20.11.2018
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