

**HONOURABLE SRI JUSTICE A.V. SESA SAI**

**WRIT PETITION No.40025 OF 2018**

**ORDER (ORAL):**

Heard the learned counsel for the petitioner and the learned Government Pleader for Home (Telangana), and perused the material on record.

2. When the matter is taken up for hearing, 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 (Telangana). The instructions read as under:

“It is submitted that the 2<sup>nd</sup> Respondent Police i.e., Gachibowli Police are not interfering with the possession of the petitioner in respect of Plot No.93 admeasuring 181 sq.yds. or 152 sq.mts. in Sy.No.203/P, 204, 205, 206, 207, 208, 209 and 210/P, situated at Manikonda Jagir Village, Rajendranagar Manal, 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, Serilingampally X Road, K.V. Rangareddy, Telangana has filed a Private Complaint against 1) G. Jaipal Reddy, 2) S. Vishwanath, 3) J. Ramachandraiah, 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 was cancelled. Later, Plot No.220 was allotted to P. Mallesha (petitioner herein). After that, A-1 by bringing anti-social elements with the support of A-2 to 5 threatening the 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, 447 and 506 IPC. The Hon'ble IX M.M. Cyberabad at Kukatpally forwarded the said Private Complaint vide Dis.No.1807/2018, dated 26.9.2018 to the Police Station for investigation and report. 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 11.10.2018 was registered and took up for investigation. During the course of investigation, the Police visited the said area, wherein the Petitioner's plot is also situated.

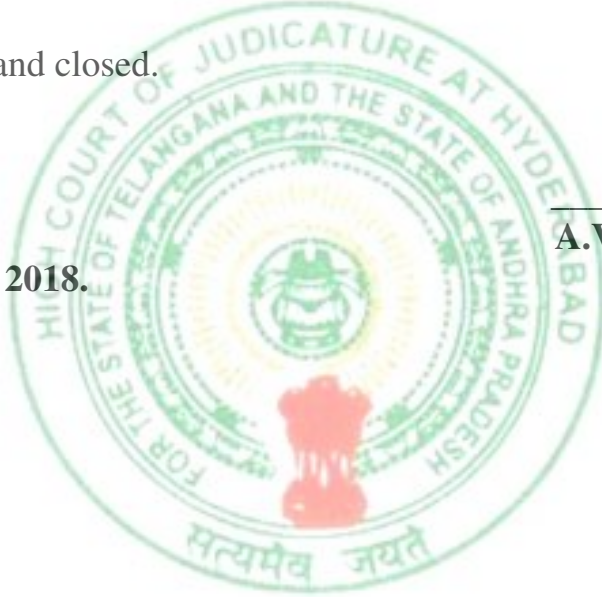
It is submitted that the Police neither directed the beneficiary of Plot No.220 nor the Petitioner herein or in particular any owner of the Plots in the area to stop construction and vacate the Plots. It is submitted that the 2<sup>nd</sup> Respondent is not interfering with the possession of the petitioner in respect of Plot No.93. The 2<sup>nd</sup> Respondent is also not obstructing the petitioner from making constructions. It is false to state that at the instance of the Respondents 3 and 4, the 2<sup>nd</sup> Respondent is interfering with the possession of the petitioner.

It is submitted that, all the allegations made in the affidavit are false, baseless and hereby denied. It is submitted that there are no merits in the writ petition and it is liable to be dismissed.”

3. Considering the above, the written instructions dated 13.11.2018 are placed on record and the writ petition is disposed of directing the authorities concerned to act strictly in accordance with law. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition stand closed.

**November 26, 2018.**  
PV



**A.V. SETHA SAI, J**