

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.41091 of 2018

ORDER:-

When the matter is taken up, the written instructions furnished by the Station House Officer, Balapur Police Station, Rachakonda Commissionerate, dated 13.11.2018, are placed on record by the learned Government Pleader. The said instructions read as under:-

“At the outset, it is submitted that Balapur Police are not interfering in civil disputes much less in connection with land admeasuring Ac.5.00 gts., in Sy.No.185/Part, situated at Puligutta, Balapur village and mandal, Ranga Reddy District. Balapur police are also not trying to dispossess the petitioner from the subject land. The police have not called him to the Police Station as alleged in the affidavit and not pressurized him to hand over the land to one Mohd.Mujahid Hussain. The allegations made in the affidavit are false, baseless and hereby denied.

It is pertinent to submit here that one Mohd.Mujahid Hussain has given a report with Balapur P.S., Rachakonda Commissionerate, on 04.07.2018 stating that he and his elder brother Wahab Uddin are the owners of land in Sy.No.185, situated at Errakunta, previous Mandal was Saroornagar, present Balapur village and mandal. In 2010, one Mekala Yadaiah and his legal heirs filed injunction suit vide O.S.No.1427 against him and his elder brother and the Hon'ble Principal Senior Civil Judge, Ranga Reddy District at L.B.Nagar, dismissed the said suit on merits on 02.06.2015. In the judgment, it is clearly stated he and his elder brother have purchased Ac.2.35 gts., from Mekala Yadaiah. While so, during trial in O.S.No.1427, one Hassan Shaker and others executed Sale Deeds with respect of Ac.2.02 gts., of his land by creating documents at the instance of one Jahangeer Khan. From the past 10 days, the said

Haswsan Shaker and others are trying to trespass into their land in order to grab the same. He requested to take necessary action against the said Hassan Shaker and others.

It is submitted that based on the above report, a case in Cr.No.180/2018 under Sections 447 and 427 I.P.C., dated 04.07.2018, was registered with Balapur P.S., Rachakonda Commissionarate. The petitioner is A.1 in the crime. During the course of investigation, the complainant was examined and recorded his detailed statement. Later addressed a letter to the Tahsildar, Balapur Mandal, seeking clarifications with regard thland in Sy.No.185 of Balapur Revenue village. On 18.08.2018, the Tahsildar through his letter furnished the information about the land in Sy.No.185. Since the information furnished by the Tahsildar vide his letter, dated 18.08.2018, was found insufficient, another letter dated 06.09.2018 was addressed to him seeking some more information and the same is awaited, hence the investigation in the crime is pending.

It is submitted that after receipt of required information, and based on the investigation, appropriate report will be filed before the concerned Court.

It is submitted that the allegation that the petitioner was called to the Police Station and he was pressurized to hand over the land to the complainant in Cr.No.180 of 2018 under Sections 447 and 427 I.P.C., dated 04.07.2018 and the police are also trying to dispossess him from the subject land are all false, baseless and hereby denied.

It is submitted that the present Writ Petition has been filed with an intention to prevent the police from conducting further investigation in the above mentioned crime. It is submitted that the writ petitioner is devoid of any merits and it is liable to be dismissed.”

Accordingly, the Writ Petition is disposed of, by placing on record the said instructions furnished by the Station House

Officer, Balapur Police Station, Rachakonda Commissionarate, dated 13.11.2018, with a further direction to the respondent-police authorities not to meddle with the civil disputes unless the same is permissible in accordance with law.

Miscellaneous petitions pending, if any, shall stand disposed of. There shall be no order as to costs.

A.V.Sesha Sai, J

Date: 29.11.2018
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