

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.42738 of 2018

ORDER:-

When the matter is taken up, the written instructions furnished by the Sub-Inspector of Police, Jubilee Hills Police Station, dated 03.12.2018, are placed on record by the learned Government Pleader. The said instructions read as under:-

“The respondent No.3 Station House Officer, Jubilee Hills Police Station, Hyderabad, had received the petitioner's complaint on 11.10.2018, wherein he stated Mr.Anand Kapadia, S/o.Panjaj Kapadia, aged 47 years, Mis.Neha Kapadia, W/o.Anand Kapadia, aged 39 yrs, both are residing H.No.1-3-1030, Alpine Towers, Flat No.703, Kavadiiguda, Secunderabad, in which it is submitting that the company had taken building on lease from above persons for a monthly rent of Rs.1,40,000/- and had taken Rs.5,60,000/- towards refundable security deposit. The period of lease was for 24 months and the informant/complainant had paid monthly rents promptly without any default. Further, the petitioner stated that the company had vacated the rental deed schedule property on 31.03.2018 and since then the informant had been demanding the refundable security deposit to the accused but the accused had been postponing the matter on one pretext or other. Apart from that the intention to cheat of since the inception of the lease agreement. The intention to cheat is apparent from the conduct of the accused is not returning back the security amount even long after the expiry of the lease period. The accused had informed that they will not return back the security deposit.

Upon receipt of the said petition, entered in the petition Management Syustem vide receipt No.HY/JH_HYD/111018/02710 and an entry was made into the Station General Diary, and endorsed to Sector SI Sri P.Naresh for enquiry and take necessary action in the above matter.

Accordingly, an enquiry was conducted by the Sector SI Sri P.Naresh, in the preliminary enquiry, it is clearly revealed that all the allegations made by the petitioner against Mr.Anand Kapadia and Mis.Neha Kapadia is purely civil in nature. Hence, the petitioner is advised to seek his grievance in a competent Court of law. Hence, no action

whatsoever was taken on the said complaint which is purely civil in nature.

To that effect, a letter, dated 29.11.2018 was addressed to the petitioner and send the same through post to the petitioner herein informing the result of the enquiry and requested him to seek his redressal in a competent Court of law.

I further humbly submit that instead of availing alternative remedy, the petitioner filed the present Writ Petition.”

Accordingly, the Writ Petition is disposed of, by placing on record the said instructions furnished by the Sub-Inspector of Police, Jubilee Hills Police Station, dated 03.12.2018, with a liberty to the petitioner herein to avail the remedies open, in accordance with law.

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

Date: 10.12.2018
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A.V.Sesha Sai, J

