

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.43244 of 2018

ORDER:-

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

“The facts of the case are that the respondent No.6 A.Dilip Kumar had lodged complaints on 15.11.2018 and 18.11.2018 with the respondent No.5 Station House Officer, Gandhinagar Police Station, Secunderabad, stating that the petitioner was histenant. The petitioner vacated the premises, but he kept some machinery in the said premises. The petitioner did not remove the said machinery and the petitioner interfered with the said premises and threatened the complainant respondent No.6. Basing on the said complaints, the 5th respondent enquired into the matter and revealed that there was a civil dispute between the petitioner and the respondent No.6. In this regard, entry was made into the General Diary.

It is further submitted that the petitioner herein also lodged complaints on 19.11.2018 and 20.11.2018 with the respondent No.5 Station House Officer, Gandhinagar Police Station, Secunderabad, stating that he is the owner of Secunderabad Industries and Jobworks. The premises taken on rent basis from the 6th respondent. On 19.11.2018, the petitioner found that the gate of the said premises was sealed by unknown persons and constructed a wall restricted the petitioner to enter into the said premises and the material of the petitioner was damaged worth Rs.50 to 70 lakhs.

Basing on the complaints of the petitioner, the 5th respondent enquired into the matter and revealed that there was a civil dispute between the petitioner and the respondent No.6 in O.S.No.600/2018 on the file of

Hon'ble XI-Junior Civil Judge, City Civil Court, Hyderabad. As the issue is pending before the Civil Court for adjudication, hence the 5th respondent suggested the petitioner to approach the Civil Court for redressal. In this regard entry was made into the General Diary on 19.11.2018 and 20.11.2018 and also informed the same to the petitioner by way of notice on 28.11.2018 through registered post.

It is submitted that except receiving the complaints from the petitioner and the respondent No.6, the 5th respondent did not interfere with the civil dispute between the petitioner and the respondent or tried to dispossess the petitioner from the premises bearing No.6-6-125, admeasuring 1200 Sq.Yds., situated at Kavadiguda, Secunderabad, at the behest of the respondents No.6 to 8 at any point of time.

As per the writ averments, there is a civil dispute between the petitioner and the respondent No.6 with regard to the above said premises. The petitioner unnecessarily involving the police into civil litigation. The petitioner instead of approaching the Civil Court, filed the present Writ Petition with baseless allegations.”

Accordingly, the Writ Petition is disposed of, by placing on record the said instructions furnished by the Inspector of Police, Gandhinagar Police Station, Secunderabad, 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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