

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.43417 of 2018

ORDER:-

When the matter is taken up, the written instructions furnished by the Station House Officer, Kothur P.S., Cyberabad, dated 29.11.2018, are placed on record by the learned Government Pleader. The said instructions read as under:-

“At the outset, it is submitted that Kothur Police are not interfering in civil matters. The Kothur Police are also not harassing the petitioner for a civil dispute. The Police are not directing the petitioner to settle the matter arising out of Agreement of Sale-cum-Development, dated 14.05.2018, with respect to land in Sy.Nos.150, 192, 193, 195, 248, 249, 250, 250/A, 251, 252, 252/E, 253, 253/A, 272, 302, 303, 304, 330, total admeasuring Ac.70.13 gts., situated at Inmulnarva village, Kothur Mandal, Mahabubnagar District. The said allegations are false, baseless and hereby denied.

It is pertinent to submit here that the 7th respondent herein i.e., Batchu Sandeep has given a report with Kothur P.S., Cyberabad, stating that one S.Ibrahim (petitioner herein) represented by Syndicate Real Estate Pvt. Ltd., has developed the open plots venture in the limits of Inmulnara village of Kothur Mandal by name JP Township and offered for sale the open plots. The complainant/7th respondent purchased 10 open plots admeasuring 2400 Sq.Yds., in Sy.Nos.192/A/a and 272/UU in the year 2010 and got a GPA in SRO, Shadnagar, vide document Nos.4200/2010 and 4201/2010, dated 03.09.2010 and since then he is in peaceful possession and enjoyment of the same. He also fixed boundaries with stone pillars (Kadies) and fenced with barbed wire. Other people Smt.Rajini, Krishna Reddy, Datha Reddy, Smt.Shakunthala, Adithya Communication and others also purchased the plots in the said venture and got registration and fixed the boundaries and took possession. One month back, one Kiran from CSK Developers called on telephone and threatened him with dire consequences to hand over the purchased plots to them. Later on 12.10.2017 CSK Developers and others represented by Such Kumar Agarwal trespassed into their open plots and others and ploughed the plots with JCB and damaged the boundary stones and wire fencing. On knowing

some of the plots owners, approached the site and asked the CSK Developers. They have threatened the said plot owners also with dire consequences and also abused in filthy language. Hence, requested to take appropriate action to safeguard their legitimate rights.

It is submitted that based on the above report, a case in Cr.No.339/2017 u/ss.447, 427, 504, 506 I.P.C., dated 17.02.2017, was registered and took up for investigation. During the course of investigation, the complainant and others were examined and recorded their statements. It is submitted that the case is pending investigation for examining some more witnesses and collection of evidence.

It is submitted that fair and impartial investigation is conducting in the matter and no malafides can be attributed to the same. It is submitted that after completion of investigation, appropriate report will be filed before the concerned, as per law.

It is submitted that the present Writ Petition seems to have been filed with an intention to prevent the Police from proceeding with further investigation in the crime.

It is submitted that during the course of investigation, if the petitioner is required, he will be examined by following due process of law.

The allegations that the Police are calling the petitioner to the Police Station and harassing him to settle the matter are false, baseless and hereby denied. The Police have not called him and not directed him to settle the civil dispute.”

Accordingly, the Writ Petition is disposed of, by placing on record the said instructions furnished by the Station House Officer, Kothur P.S., Cyberabad, dated 29.11.2018, with a further direction to the respondent-Police authorities not to interfere 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:18.12.2018
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