

HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.46218 of 2015

ORDER.

When the matter was taken up, written instructions, dated 19.12.2018, furnished by the Station House Officer, Balanagar Police Station, Cyberabad, are placed on record by the learned Government Pleader for Home (Telangana State). The said written instructions read as under:

“It is submitted that Balanagar Police are not interfering in civil disputes more particularly in between the petitioner and the unofficial respondent Nos.6 and 7 herein. The Balanagar Police are also not forcing the petitioner to hand over the subject to the unofficial respondent Nos.6 and 7 herein.

In reply to para-17 of the affidavit, it is submitted that it is incorrect to state that the unofficial respondent Nos.6 and 7 are influencing the Balanagar Police. It is denied that the Police are forcing the petitioner to hand over the subject site to the unofficial respondent Nos.6 and 7 herein. It is not correct to state that the Balanagar Police are summoning the petitioner to the Police Station time and again and forcing him to settle the issue with the unofficial respondent Nos.6 and 7 herein.

It is pertinent to submit here that respondent No.6 herein has given a report dated 10.12.2018 with Balanagar Police Station stating that he has purchased 168 sq. yard land consisting of a house in Sy.No.168 of Ferozguda, Balanagar. He has taken necessary permissions from the authorities for constructing a new house. While so, the petitioner/Yadagiri Goud objected him from making constructions. The said Yadagiri Goud further given

a complaint against him to GHMC, thereby the construction work was stopped. Thereupon, he filed W.P.No.41925 of 2018 and the Hon'ble High court directed the GHMC not to object construction work. When he was making constructions on 10.12.2018, the said Yadagiri Goud once again interfered with the said activity and threatening the construction workers, hence requested to take action. Basing on the said petition, a GD entry was made and taken up for enquiry. As the enquiry revealed that the subject matter is purely civil in nature, no further action was taken and he was informed to settle the matter before the concerned court.

It is submitted that, as stated above, the Balanagar Police are not interfering in civil disputes. It is submitted that, if the petitioner is having any civil disputes with the unofficial respondent Nos.6 and 7 herein, he ought to have approached the concerned civil Court, instead filed present Writ Petition and is trying to settle his civil disputes with the unofficial respondent Nos.6 and 7 herein in a writ jurisdiction."

Having regard to the contents of the above written instructions and taking into consideration the submissions of the learned counsel for the petitioner and the learned Government Pleader, this Court deems it appropriate to dispose of the Writ Petition by placing the said written instructions on record with further direction to the respondents not to interfere with the civil disputes, unless it is permissible under law.

With the above direction, the Writ Petition is disposed of.

The Miscellaneous Petitions, if any, pending in this Writ
Petition shall stand disposed of. There shall be no order as to
costs.

JUSTICE A.V.SESHA SAI

26th December, 2018

dr

