

HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.27874 of 2014

ORDER:

Heard learned counsel for the petitioners, learned Government Pleader for Home appearing for the first respondent and learned counsel for appearing for respondents 2 to 6.

2. The prayer sought in the writ petition is as under:-

“..the Hon'ble High Court may be pleased to issue a writ in the nature of Mandamus or any other appropriate writ, direction or order declaring the action of respondent No.1 or his men in threatening petitioners tenants to pay rents starting from 17-9-2014 to the respondents No.2 to 6 directly is illegal and un call for and pass such other order or orders as this Hon'ble Court may deem fit just and proper in the circumstances of the case.”

3. Learned Government Pleader appearing for the first respondent placed on record the written instructions dated 19.09.2014 issued by the Sub-Inspector of Police, Shahinayathgunj Police Station, Hyderabad.

4. From a perusal of the said written instructions, it is revealed that on 15.09.2014, the first respondent received a complaint from respondents 2 to 6 stating that as per the directions of this Court in CMA.No.769 of 2009 the petitioner herein shall pay Rs.5,000/- per week to respondents 2 to 6 by way of demand draft or by making remittance to the bank account commencing from 1st week of August 2009. If the said amounts are not paid, as per the orders of this Court, he will become a defaulter and injunction stands withdrawn and respondents 2 to 6 are entitled to collect the rents from tenants, who are using the same for selling of the articles. On 27.08.2014, when respondents 2 to 6 went to collect rent, the petitioner and others obstructed them illegally and threatened with dire consequences and

abused in filthy language. Again on 10.09.2014, the petitioner and others have illegally started collecting the rents and abused them in filthy language stating that they will see their send. Basing on the complaint, the first respondent called both parties. During the course of enquiry, it is revealed that both parties have civil dispute and the same is pending before this Court vide CMA.No.769 of 2009 and the main suit, being O.S.No.110 of 2009, is pending on the file of the Court of I Additional Senior Civil Judge, City Civil Court, Hyderabad. Therefore, the first respondent suggested both parties to approach the concerned Court of law since the matter is civil in nature. As far as the allegation made by the petitioner that respondents 2 to 6 are threatening him from 17.09.2014 is concerned, it is stated that the said allegation is totally vague, false and baseless.

5. In that view of the matter, particularly, in the light of the prayer sought in the writ petition, this Court is of the opinion that no further cause would survive in the writ petition and the same is liable to be closed.

Accordingly, the writ petition is closed. As a sequel, miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

P. KESHAVA RAO, J

November 26, 2019
DSK