

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.2131 of 2019

DATED :05-02-2019

Between :

Surekha Smitha Nambi W/o.Naga Vamshi Nambi
Aged.36 years, occ: House maker, R/o.Plot No.23, Brundhavan
Nagar, Gollaguda, Near Nalla Pochamma Temple,
Subhash Nagar, Tirumalagiri, Secunderabad.

.. Petitioner

And

The State of Telangana Rep.by its
Principal Secretary (Home) Secretariat Buildings,
Saifabad, Hyderabad, Telangana State and others.

.. Respondents

This court made the following :

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ORDER :

Petitioner alleges that the respondents are interfering with the petitioner's possession over the Plot No.23, Brundavan Nagar, Gollaguda, Near Nalla Pochamma Temple, Subhash Nagar, Tirumalagiri in Secunderabad.

02. By placing reliance on certain observations made by the III Additional Junior Civil Judge-cum-XXI Metroplitan Magistrate, Cyberabad, in his order dated 10-12-2018 in CrI.MP.No.611 of 2018 in DVC.No.8 of 2018, counsel for the petitioner would submit that possession of the petitioner over the property as mentioned above is not in dispute, whereas, police are threatening the petitioner to evict the premises at the instance of respondents 3 to 5.

03. Written instructions furnished by the Sub-Inspector of Police, Alwal Police Station stating that on 10-01-2019 one Narsimha Murthy Nambi gave complaint to the Station House Officer (S.H.O.) alleging that his daughter-in-law is threatening him and his son and tried to attack him physically when they asked her to vacate the house. The GD entry was made and the S.H.O. called the petitioner to police station to enquire about the complaint given against her. Accordingly, petitioner appeared and she has given her version including registration of Cr.No.80 of 2018 in WPS Begumpet against Narsimha Murthy Nambi and his son and others. It appears the S.H.O. addressed XXII Metropolitan Magistrate, Cyberabad on 04-02-2019 to

accord permission to investigate the case and the orders of the Magistrate are awaited. The Sub-Inspector denies the allegations that petitioner was summoned to the police station and respondent-police wants her to vacate the house and stated that they never threatened her to vacate the house.

04. The said statement is placed on record.

05. In view of above categorical statement of the Sub-Inspector of Police, the apprehension expressed by the petitioner no more survives. However, it is made clear that unless permission is accorded by the competent Court in pursuance to letter dated 04-02-2019 and her presence is required, police shall not call upon the petitioner to attend to the police station.

06. Accordingly, the writ petition is disposed of. Pending miscellaneous petitions shall stand closed.

05-02-2019
Nvl

P.NAVEEN RAO,J