

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 2440 of 2019

Date : 19.2.2019

Between:

Avi Reddy Lakshmi Kantha W/o A Ganesh Reddy Aged about
48 years R/o Flat No 50801 Indu Fortune Field Gardenia
Phase 13 KPHB Colony Hyderabad 500072

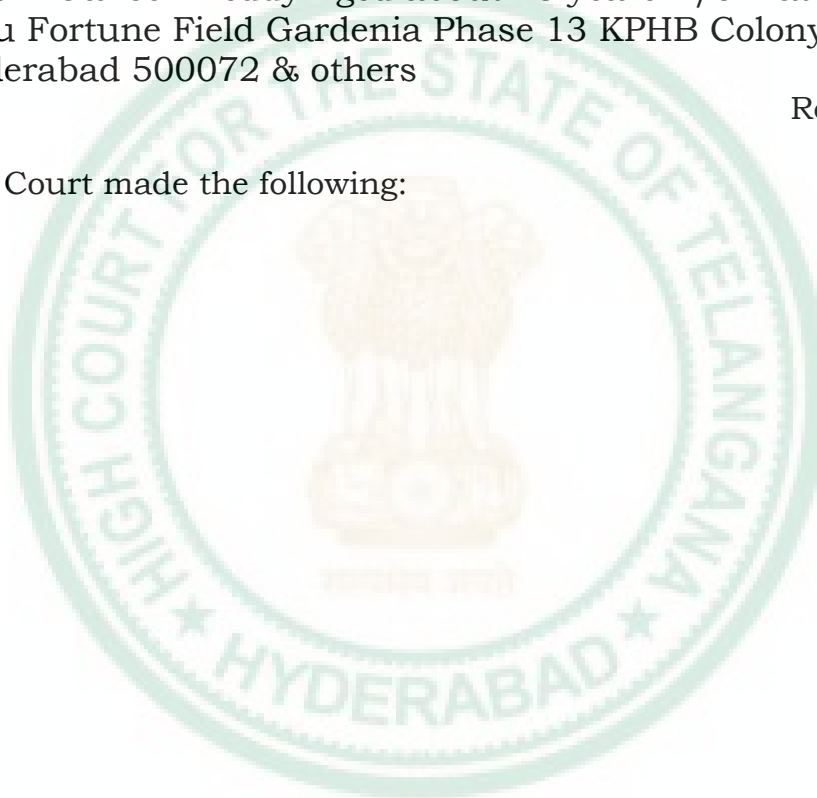
Petitioner

And

Avi Reddy Lakshmi Kantha
W/o A Ganesh Reddy Aged about 48 years R/o Flat No 50801
Indu Fortune Field Gardenia Phase 13 KPHB Colony
Hyderabad 500072 & others

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Home.

2. Petitioner alleges that under the guise of registration of FIR No. 961 of 2013, Madhapur police station, police are interfering in the construction activity of the petitioner pursuant to valid building permission obtained by him from Greater Hyderabad Municipal Corporation, hence, this writ petition.

3. According to learned counsel for petitioner, there is no restrain from undertaking construction of building though O S No. 517 of 2018 filed by Jack Rajeev Dubey is pending on the file of XV Additional District and Sessions Judge at Kukatpally, Ranga Reddy District. The learned District Judge only granted injunction against alienation of the petition schedule property, but there is no stay on construction, therefore, police cannot interfere with the construction activity.

4. Based on the instructions furnished by Sub Inspector of Police, Gachibowli police station dated 11.2.2019, learned Government Pleader submits that after complaint was registered on the allegation that accused persons forged and fabricated the documents and illegally trespassed into the subject property, the landlord left to New-Zealand and case is pending investigation since then. The allegation of police interfering with enjoyment and possession of petitioner is denied.

5. Except making vague allegation on police interference in construction activity, no other material is placed on record to show such interference. Having regard to the assertion of Sub Inspector of Police that he is not interfering with the construction activity, the grievance

agitated by the petitioner cannot be gone into in this writ petition. Writ Petition is accordingly dismissed, leaving it open to petitioner to workout his remedies as available under law. It is also made clear that there is no expression of opinion made with regard to cases pending between the parties and police conducting appropriate investigation into the crime already registered. No costs. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 19-2-2019
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