

THE HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.29088 of 2014

ORDER:

Heard learned counsel for the petitioner as well as learned Government Pleader appearing for the respondents 1 and 2.

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

“...to issue a writ, order or direction more particularly a Writ of Mandamus declaring the action of the 2nd respondent, in frequently calling the respondents 3 to 5 to the Police Station, keeping them in Lock up and directing them to sell petitioner's property and threatening to foist false criminal cases and threatening to kill them in Police encounter, if they do not pay Rs.150000/ to the 7th respondent by 21.09.2014 as per the undertaking given by petitioner's mother on 27.09.2005, as illegal, unauthorized, untenable and void and consequently direct the respondents No.2, the Circle Inspector of Police, Palakurthy Mandal, Warangal District not to sell the property belonging to the petitioner and petitioner's sister in Mutharam village, Palakurthy Mandal, Warangal District in the interest of justice and/or pass such other order or orders as this Hon'ble Court may deems fit and proper in the circumstances of the case.”

3. This Court, on 25.09.2014, passed the following order:

“The Director General of Police, State of Telangana, shall secure a detailed report from the Superintendent of Police, Warangal, and submit the same before this Court, as the petitioner herein lodged a complaint that the Circle Inspector of Police, Palakurthy Police Station, Warangal District, is openly threatening that he will kill respondents 3 to 5 and show it as an encounter death.

The 1st respondent-DGP shall ensure that no such encounter death shall take place.

Registry is directed to list this matter for consideration after four weeks.”

Pursuant to the said orders, the Superintendent of Police, Warangal Rural, conducted an enquiry in the subject issue and submitted

enquiry report to the Director General of Police, Telangana State, Hyderabad, vide C.No.46/C1-DCRB-R/2014, dated 14.10.2014. The copy of the said report is placed before this Court enclosing the copies of the statements recorded from the respondents 3 to 7. In the report, it is categorically stated that on receipt of the petition from the respondents 4 and 5, the Circle Inspector of Police, Palakurthy of Warangal Rural District (2nd respondent) called both the parties and after hearing their version advised them to settle the matter through village elders. The 2nd respondent did not detain the respondents 3 to 5 in the Police Station and not forced the mother and respondents 3 to 5 to dispose of their lands and pay Rs.1,50,000/- to the 7th respondent. It is mentioned in the report that the allegations made by the petitioner against the 2nd respondent are also baseless and far from the truth. In fact, the petitioner filed this writ petition to avoid payment of Rs.90,000/- to the 7th respondent, who is the father of the petitioner's wife. It is further mentioned in the report that on receipt of the complaint from the petitioner, the Sub-Divisional Police Officer, Jangaon, advised the parties to settle the matter amicably through village elders, since the matter is of civil in nature. However, the respondents 3 and 5 were also advised not to interfere and create any pressure to force the petitioner in payment money to the 7th respondent.

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

5. Accordingly, the writ petition is closed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

P. KESHAVA RAO, J

23rd December 2019

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