

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.4603 OF 2019

DATED :25.03.2019

Between :

A. Janardhan S/o.Late Mallaiah,
Aged about 63 yrs, Occu: Agriculture,
R/o. Gadi Gouraram Village,
Chintapally Mandal, Nalgonda District,
Presently residing at R/o.H.No.2-32/1/2,
Goutham Nagar Colony, Chandanagar,
Hyderabad

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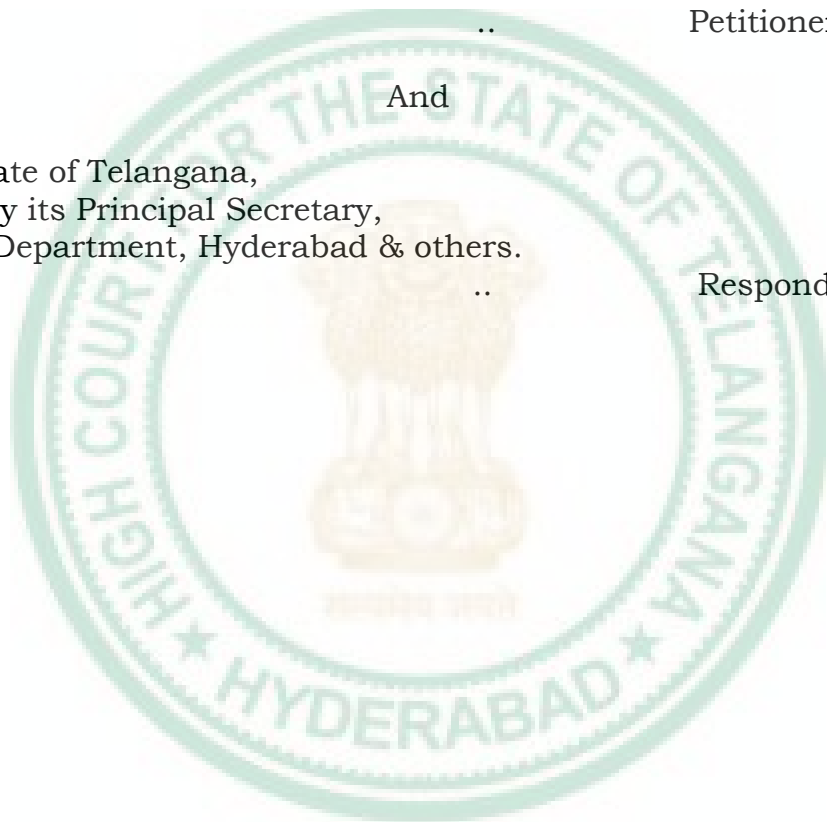
Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Home Department, Hyderabad & others.

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Respondents



This court made the following :

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ORDER :

Heard learned counsel for petitioner and learned Government Pleader for Home for respondents 1 to 3.

2. Petitioner claims that he and his four brothers are the absolute owners and in possession of land to an extent of Ac.10-11 guntas in Sy.No.138, land to an extent of Ac.50-00 guntas in Sy.Nos.135, 136, 137 and 138 of Varkala Village, Chintapally Mandal, Nalgonda District. According to petitioner, his brother by name A. Ramaiah, is the owner of land to an extent of Ac.17-19 guntas of Varkala village, and when his brother and himself were erecting Kaddies to protect the land from land grabbers, at that stage, respondents 3 and 4 to support 5th respondent called the petitioner and his brother to police station and tried to settle the matter, even though the supporting documents were shown regarding ownership, the same were not considered and continued to harass the petitioner. It is further alleged that highhandedly, 3rd respondent under the influence of 5th respondent is threatening the petitioner and his brother to sell the land and to settle the matter with the 5th respondent and the said action is illegal.

3. It appears, petitioner filed complaint on 27.02.2019 to the Superintendent of Police, Nalgonda District, making allegations against respondents 3 and 4.

4. The Counter affidavit deposed by the Superintendent of Police would disclose that based on the complaint of petitioner against respondents 3 and 4, enquiry was ordered and the same was entrusted to the Sub-Divisional Police Officer, Devarakonda.

5. The Sub-Divisional Police Officer, Devarakonda, enquired into the matter and submitted report on 12.03.2019. The said report was considered by the Superintendent of Police. According to the averments in Paragraph No.12 a survey was conducted by the Deputy Inspector of Survey, Devarakonda Division, and boundaries were fixed to the land of Ananda Vardhan Raju and the petitioner's land. On 24.02.2019 the said Ananda Vardhan Raju, erected pillars on the boundaries of his land. Petitioner dismantled the said pillars and a complaint was lodged by Vijay Bhaskar Reddy. Based on the said complaint Crime No.34 of 2019 was registered against the petitioner and another. The enquiry further revealed that except registering the above crime and calling the petitioner and another accused for the purpose of investigation, respondents 3 and 4 did not interfere or threaten the petitioner as alleged and the allegations leveled by the petitioner are also denied.

6. These assertions of the Superintendent of Police are not denied. Further based on the complaint lodged against his subordinates, the Superintendent of police caused enquiry and having satisfied with the report furnished, he has deposed accordingly in the counter affidavit.

7. In view of the above, the allegations made by the petitioner cannot be held as valid warranting issuance of further directions. Since a crime is already registered against the

petitioner, it cannot be said that police cannot investigate into the crime and in the process of investigation police can call the accused for the purpose of eliciting information. However, it is needless to observe that police shall follow due process while conducting investigation and shall not unnecessarily call the petitioner to the police station.

8. Subject to above observations, the Writ Petition is dismissed. Pending miscellaneous petitions, if any, shall stand closed.

25th March, 2019
Rds

P.NAVEEN RAO,J

