

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.5836 OF 2019

Date: 22.03.2019

Between:

J.Emiya @ Hemiya, s/o. Geeriya, Aged about 42 years,
Occu: Agriculture, R/o. H.No.3-38, Madanpally Patha
Thanda, Madanpally village, Shamshabad mandal,
Ranga Reddy district, Telangana State.

.....Petitioner

And

The State of Telangana, rep.by its Secretary,
Home Department,

.....Respondents



The Court made the following:

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ORDER:

Petitioner claims to be the owner of agricultural land in Sy.No.62/AA/1 and Sy.No.62/AA/2 to the extents mentioned against said survey numbers in the prayer of the writ petition. Petitioner alleges that Police threatened and warned him to immediately vacate the said property, otherwise they would evict and dispossess him from the said property by implicating in false criminal cases. Petitioner alleges that same would amount to illegal, highhanded, arbitrary exercise of power of respondent Police.

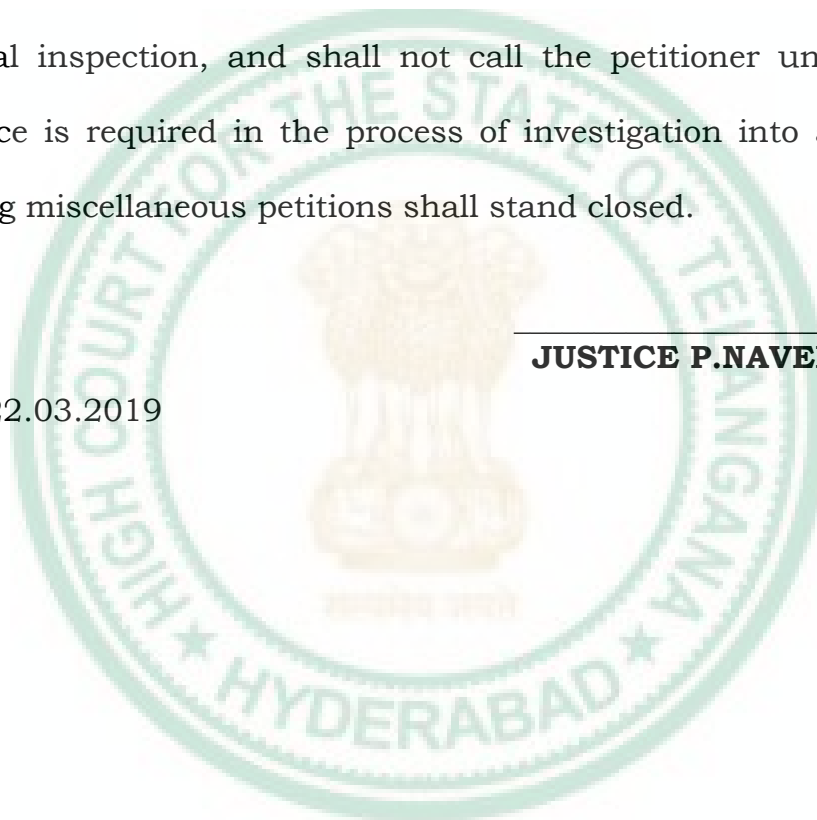
2. On instructions submitted by the Sub-Inspector of Police, Shamshabad Police Station, dated 19.03.2019, learned Government Pleader submits that 5th respondent is not interfering with the petitioner's property and said allegation is false. According to the written instructions, no crime is registered against the petitioner as on today. Therefore, the allegation of Police interfering in civil disputes does not arise.

3. According to the learned counsel for petitioner, aggrieved by the illegal action of opposite parties, petitioner filed O.S.No.231 of 2019 in the Court of XIV Additional District and Sessions Judge, Ranga Reddy at L.B.Nagar, and in I.A.No.215 of 2019 Court granted injunction orders. In spite of granting injunction order, the rival parties are interfering and threatening the petitioner with dire consequences, and therefore, he lodged complaint on 15.03.2019.

4. The issue agitated in the complaint is entirely different from the prayer sought in the writ petition. Since, as on today no crime is registered against the petitioner, and Police categorically denied involvement in civil disputes, there is no merit in the claim in the Writ Petition. Writ Petition is accordingly dismissed. However, it is open to petitioner to pursue the complaint already filed by him on 15.03.2019. It is needless to observe that Police cannot interfere in civil dispute, and harass the petitioner on the subject property issues unless and until crime is registered against him and require physical inspection, and shall not call the petitioner unless his presence is required in the process of investigation into a crime. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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