

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.7285 OF 2019

Date: 08.04.2019

Between:

Mohammed Jahangir s/o. late M.Ali,
Aged about 54 years, occu: Business,
R/o. H.No.22-3-947/33, Purani Haveli,
Hyderabad.

.....Petitioner

and

The State of Telangana, rep.by its Prl.Secretary,
Home Department, Secretariat, Hyderabad and
others.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.7285 OF 2019

ORDER:

Petitioner claims that he is the owner of land to an extent of 917 square yards forming part of 7200 square yards bearing Municipal No.5-5-370 and 370/1 & 2 of Mozam Jahi Market, Hyderabad. In this Writ Petition, petitioner alleges that at the instance of respondent Nos.6 to 11, the 5th respondent tried to dispossess the petitioner from the subject property on 28.03.2019. Therefore, petitioner lodged complaint with the Police officials on 30.03.2019. In this Writ Petition, petitioner is praying to declare the action of respondents 6 to 11 in interfering with the petitioner's possession over the subject land and that 5th respondent should not interfere in civil disputes between the petitioner and unofficial respondents 6 to 11.

2. Learned Government Pleader produced copy of the FIR No.68 of 2019, registered on 27.03.2019, under Sections 447, 511 read with 34 of IPC in Abid Road Police Station. The complainant, *inter alia*, alleges that petitioner and others are trying to encroach their land. The complainant claims to be the owner of the said land, which is the same as in the present Writ Petition.

3. From the reading of the complaint as well as averments in the affidavit filed in support of Writ Petition, it is apparent that there is a civil dispute between the parties, and there is rival claim of ownership. Once crime is registered, Police are competent to investigate into the crime reported, to visit and conduct physical inspection of the premises in issue, and it cannot be held that

Police are interfering without justification. Further, issue of possession cannot be gone into in the Writ Petition.

4. Since crime is already registered, it cannot be said that Police are interfering in civil disputes. Leaving it open to petitioner to work out his remedies as available in law, if petitioner is aggrieved by the registration of crime, Writ Petition is dismissed. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 08.04.2019
kkm



HON'BLE SRI JUSTICE P.NAVEEN RAO



WRIT PETITION NO.7285 OF 2019

Date: 08.04.2019

kkm