

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.8781 of 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner, seeking a Writ of Mandamus, declaring the action of the respondents, particularly the 3rd respondent/Station House Officer, Karimnagar Rural Police Station, Karimnagar District, in interfering with the petitioner's ongoing house construction work in the open plot admeasuring 217.77 square yards in Survey Nos.281/D&E, 282/D&E and 283/B&C, situated at Theegalguttapally Village, Karimnagar Mandal and District, and calling the petitioner's husband to the police station under the name of investigation and obtaining undertaking to stop the ongoing construction work under pressure and threat, as illegal, unconstitutional and for a consequential direction to the respondents to not to interfere with the petitioner's ongoing house construction work.

2. Heard the learned counsel for the petitioner, the learned Assistant Government Pleader for Home representing the respondents 1 and 3 and perused the record.

3. The learned counsel for the petitioner would submit that the petitioner is the absolute owner and possessor of the open plot admeasuring 217.77 square yards in Survey No.281/D&E, 282/D&E and 283/B&C, situated at Theegalguttapally Village, Karimnagar Mandal and District, having purchased the same under a registered sale deed bearing document No.6215/2018, dated 05.06.2018. The petitioner had obtained permission for construction of a house over the said plot, vide permission No.GP/TGP/382/2018, dated

20.04.2018, from the authorities concerned and proceeding with the construction of the house. The respondent No.3/Station House Officer, Karimnagar Rural Police Station, Karimnagar District, having no manner of right, started interfering with the construction of the house by the petitioner, at the instance of the 4th respondent.

4. The learned Assistant Government Pleader for Home representing the respondents 1 and 3 would submit that the wife of the 4th respondent had obtained interim injunction order from the Court concerned, in respect of the disputed property. On a complaint filed by her, a preliminary enquiry is being conducted. It is also submitted that a GD entry is also made on 18.04.2019.

5. Both the parties have substantiated their submissions through copies of record. Under these circumstances, if there is a written complaint against the petitioner, it is required to be disposed of in accordance with law.

6. With the above observation, this Writ Petition is disposed of at the stage of admission. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

Dr. SHAMEEM AKTHER, J

24th April, 2019
Bvv