

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.15742 of 2019

ORDER:

The prayer of the petitioner in this case is as under:

“...issue an appropriate writ order or direction more particularly a writ in the nature of Writ of Mandamus to declare the action of respondent No.5-the Circle Inspector of Police, Bachupally Police Station, Cyberabad District, in whose precincts the disputed properties Plot No.8 Petitioner purchased under Registered Sale Deed and possessed and Plots Nos.6, 35, 36, 45 and 46, Plot Nos.52 and 53 and Plot Nos.2, 9, 10 and 50 for which plots the Petitioner holds Registered General Power of Attorney given by their lawful owners and possessed all situated in Sy.No.100, Nizampet Village, Quthubullapur Mandal, Ranga Reddy District, in interfering in the possession and civil disputes concerning to his plots threatening the Petitioner and his watch and ward staff not to enter in his own plots installing CC Cameras there calling the Petitioner to his Police Station in the name of conducting all party meeting and taking up to resolve the civil disputes by himself instead of the Courts of law and pressurising the Petitioner to give up his right over the disputed property is illegal arbitrary unconstitutional and violation of Article 21 of the Constitution of India and pass such further or other orders as the Hon’ble Court may deem fit and proper in the circumstances of the case.”

Learned Assistant Government Pleader for Home produced written instructions, dated 31.7.2019, wherein it is stated as under:

“It is further submitted that on the complaint made by Smt Vaishya Raju Kalyani on 05.5.2019, the respondent Police have registered a crime against the petitioner in Crime No.224 of 2019 for the offences under Sections 452, 323, 427, 506 read with 34 IPC and the case is under investigation.

It is submitted that the Investigating officer visited the scene of offence in connection with Crime No.224 of 2019, but it does not mean interference of the police. Respondent No.5 discharging legitimate duty and never interfered with the civil dispute as alleged by the petitioner herein.

It is submitted that the allegation that respondent No.5 and Sub-Inspector of Police threatened the petitioner to vacate the said lands and warned to implicate him in false cases is incorrect and baseless.”

Learned counsel for the petitioner states that respondent No.5 is interfering with the civil disputes between the petitioner and third parties and is also threatening the petitioner to settle the disputes.

In view of the same, without going into the merits of the case, the Writ Petition is disposed of directing respondent No.5 not to interfere with the civil disputes between the petitioner and third parties and not to pressurize the petitioner to settle the civil disputes. However, this order does not preclude the respondent police from investigating into the crime.

Pending Miscellaneous Petitions, if any, shall stand closed. No order as to costs.

02nd August, 2019
dr

JUSTICE A. RAJASHEKER REDDY

