

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 17986 OF 2019

ORDER :

This writ petition is filed challenging the action of the 2nd and 3rd respondents in illegally trespassing and encroaching into the property of the petitioner.

Learned Assistant Government Pleader for Home produced written instructions dt.20.08.2019 produced by the Sub-Inspector of Police, Uppal P.S., Rachakonda Commissionerate.

To the extent of their relevance to the present writ petition, the said instructions read as under:

“ It is respectfully submitted that basing on the complaint of the petitioner G.Uma, a case was registered against Eshaboina Ramesh, who is respondent No.3 in the present writ petition, in Crime No.629/2019, U/s.447, 427, 506 IPC of Uppal Police Station on 16.07.2019, wherein she alleged that on 16.07.2019 the said E.Ramesh, Krishna Reddy and others criminally encroached along with bulldozer into her plot and demolished the room, when she questioned about it, they threatened her with dire consequences and abused in filthy language.

It is submitted that during the course of investigation LWs.1 & 2 were examined and their statements were recorded, Notice U/s.91/160 Cr.P.C was served on the complainant on 16.07.2019 to produce relevant documentary evidence and other witnesses in support of her complaint, but the complainant has not submitted any documentary evidence till date. The case is under investigation for collecting documentary evidence.

It is submitted that the allegations made by the petitioner that the 2nd respondent is interfering in the civil matters is false and denied as the respondent No.2 never interfered in the civil matters of the petitioner at any point of time.

It is further to submit that a case is registered against the petitioner G.Uma and her husband in Crime No.685/2019, U/s.447, 427 IPC of Uppal police station on 31.07.2019.”

Learned counsel for the petitioner states that the 3rd respondent is interfering with their possession.

In view of the aforesaid written instructions, recording the same, the writ petition is disposed of. If the 3rd respondent is interfering with the petitioner's possession, it is open for the petitioner to avail alternate remedy by approaching Civil Court for redressal of her grievance. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

21.08.2019

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