

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.37685 of 2013

ORDER:

Heard learned counsel for the petitioners as well as learned Government Pleader appearing for the respondents 1 to 3.

2. The prayer sought in the writ petition is as under:-

“... to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus to declare the action of the respondents 2 and 3 as illegal and arbitrary in interfere with the petitioner’s possession and enjoyment of land in Sy.No.6/1/E to the extent of 10 guntas situated at Gachibowli Village, Serilingampally Mandal, Ranga Reddy District and direct the respondents not to interfere with the petitioners civil liberty as well as the property and personal liberty in the circumstances of the case; and pass such other order or orders as this Hon’ble Court may deems fit and proper in the circumstances of the case.”

3. The 3rd respondent filed a counter-affidavit denying the allegations made in the affidavit filed in support of the writ petition and contended *inter alia* that one Sri D.Aravind S/o.Srinivas approached the Raidurgam Police Station and lodged a complaint on 13.12.2013 stating that one Mr.B.Ashok Babu @ Ashok Patel and others have created forged/fictitious documents and double registration in respect of land in Sy.No.6/1/E situated at Gachibowli village, Serilingampally Mandal, Ranga Reddy District and thereby cheated him and requested to take necessary action as per law.

4. Pursuant to the said complaint, a case in Crime No.676 of 2013 for the offences under Sections 419, 429 and 468 IPC was registered on the file of the Raidurgam Police Station on 13.12.2013 and investigation was taken up. The 1st petitioner herein was shown as accused No.1 in the said crime. During the course of investigation, the Investigating Officer examined the complainant and recorded his detailed statement. It is also further mentioned that prior to filing of the writ petition, the above said case was registered against the 1st petitioner and others. On coming to know about the registration of the crime, the petitioner, on mere apprehension and to divert the attention of the investigating agency, has come up with the present writ petition with false and baseless allegations. The respondents also specifically stated that mere registration of the above said criminal case and proceeding with the investigation as per law, does not amount to interference of the respondent police into the civil disputes between the petitioners and the other private individuals. It is also specifically denied the allegation made by the petitioner that the 3rd respondent had come to their house and forcing the petitioner to compromise the matter with one Arvind.

5. Though a detailed counter-affidavit is filed with specific averments, the petitioners have not filed any reply affidavit rebutting the said averments.

6. In that view of the matter, this Court is of the opinion that there are no merits in the writ petition and the same is liable to be

dismissed. However, in the light of the specific averments made in the counter-affidavit, this writ petition is being disposed of in terms thereof.

7. Accordingly, the writ petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

P. KESHA VA RAO, J

12th November 2019

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