

**THE HONOURABLE SRI JUSTICE P. KESHA RAO**

**WRIT PETITION No.19502 of 2014**

**ORDER:**

Heard learned counsel for the petitioner as well as learned Government Pleader appearing for respondent Nos.1 to 5.

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

“....to issue a Writ more particularly one in the nature of Mandamus declaring the actions of Respondents No.4 & 5 in interfere in to petitioners peaceful possession over his land in Sy.No.113/AA/1, admeasuring Ac.1.20 guntas, situated at Indirakaran Village, Sangareddy Mandal, Medak District and insisting the Petitioner to compromise the matter with Respondents No.6 to 9, as highly illegal, arbitrary and gross violation of principals of natural Justice and Article 21 of Constitution of India and pass such other order or orders as this Hon’ble Court may deem fit and proper in the Interest of Justice.”

3. Learned Government Pleader placed on record the written instructions, dated 19.07.2014, issued by the Sub Inspector of Police, Indrakaran Police Station, Medak District. A perusal of the said written instructions would reveal that based on the complaint lodged by the petitioner on 14.02.2014, a case in Crime No.14 of 2014 for the offences under Sections 447, 427 and 506 IPC has been registered against respondent Nos.8 and 9. During the course of investigation, the petitioner and other witnesses have been examined and recorded their detailed statements. On 16.02.2014, the 5<sup>th</sup> respondent addressed a letter to the Tahasildar, Sanga Reddy Mandal, requesting to furnish

the relevant documents and also addressed a letter on 01.03.2014 to the Sub Registrar, Sanga Reddy, requesting to furnish the relevant document. In spite of the above said letters, the Revenue Department did not furnish any document and fix the boundary. However, the Sub Registrar, in his letter stated that as per the records, the document No.7629 of 2000 is not registered in his office and the last document registered was 7064 of 2000. Except registering the above criminal case with regard to the above said land, the respondent police never harassed, threatened or interfered in the civil dispute between the petitioner and respondent Nos.8 and 9 at any point of time. The contention of the petitioner that the respondent police in collusion with respondent Nos.6 to 9 interfered in the land of the petitioner and insisted him to compromise the matter with respondent Nos.6 to 9 is also specifically denied.

4. Respondent Nos.8 and 9 also filed a counter-affidavit denying the allegations made in the in the affidavit filed in support of the writ petition and contended *inter alia* that they never met the petitioner nor even spoken to the petitioner and, therefore, the question of threatening the petitioner does not arise. They do not have any knowledge of the property purportedly owned by the petitioner and they never visited the said property. They have also no knowledge whatsoever of a complaint having been made against them. In the counter-affidavit, it is also stated that there is a civil suit for injunction

has been filed against them and an interim *ex parte* injunction was granted against them. Since the said order was taken behind their back and without their knowledge and one of the respondents has recently come to know of the said order, they are taking steps in accordance with law so as to safeguard their interest. The entire action of the petitioner in a criminal case as well as suit filed against them is highly mischievous and the same appears to be made with extraneous considerations apart from other aspects.

5. In view of the above facts, this Court is of the opinion that there are no merits in the writ petition and the same is liable to be closed.

6. Accordingly, the writ petition is closed.

As a sequel, miscellaneous petitions pending, if any, shall stand closed. No costs.

25<sup>th</sup> September 2019

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**P. KESHA VA RAO, J**