

THE HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.18593 of 2014

ORDER:

There is no representation on behalf of the petitioner.

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 declaring the inaction of the Respondent No.4 in interfering with the peaceful possession and enjoyment of the petitioner’s House bearing No. Door No.5-15/U, to extent of an Ac.3-00 Sy.No.71 Extent situated at Hothi [B] Village under Mandal Zaheerabad, Medak district by restraining the petitioner family not to enter in the above premises as illegal, arbitrary and unconstitutional and pass such other relief as this Hon’ble court may deem fit and proper in the circumstances of the case.”

3. Learned Government Pleader appearing for the respondents 1 to 4 placed on record the written instructions issued by the Assistant Sub-Inspector of Police, Zaheerabad Rural Police Station, Medak District.

4. From a perusal of the said written instructions, it is revealed that the petitioner herein lodged a complaint with the 4th respondent with regard to the land in Survey No.71 situated at Hothi (B) Village against the respondents 5 to 8. Pursuant to the said complaint, a case in Crime No.16 of 2014 was registered on 09.03.2014. During the course of investigation, it was revealed that there is a civil dispute

between the complainant/petitioner as well as the respondents 5 to 8 in S.A.No.1091 of 2013 on the file of this Court, which is pending. As the matter is civil in nature, proposals were sent to the Sub-Divisional Police Officer, Sangareddy, on 05.06.2014 to accord permission to refer the case as 'civil in nature'. After obtaining permission and serving notice to the complainant, final report was filed before the concerned Magistrate. Except registering the above said criminal case with regard to the said land, the respondent police never harassed, threatened and interfered with the civil disputes between the petitioner and the respondents 5 to 8. Mere registration of a criminal case with regard to the land dispute does not amount to interference in the land dispute.

5. 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.

6. Accordingly, the writ petition is dismissed.

As a sequel, miscellaneous petitions pending, if any, shall stand dismissed. No order as to costs.

6th December 2019

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P. KESHAVA RAO, J