

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 27419 of 2018

Date : 14.3.2019

Between:

Md Ishaq S/o Late Md Chand Aged 44 years Occ Business
R/o 16-7-797/1 Charderghat Hyderabad & others
Petitioners

And

The State of Telangana
Represented by it Principle Secretary Home Department
Secretariat Hyderabad & others

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Home.

2. Petitioners claim to be absolute owners and possessors of premises bearing No.16-9-406 Part (plots admeasuring 500 sq yds) and 16-9-406/9/16 Part (plot admeasuring 150 sq yds) in Survey No. 66 (Old) TS No. 19, Block A, Ward 181, Malakpet village, Hyderabad having purchased the same from M/s. Republic Cooperative Housing Society Ltd. Alleging illegal interference by officials of GHMC and Revenue department and trying to evict the petitioners under pilot project for beautification and protection of Moosi river and construction of compound wall, petitioners filed W P No. 27059 of 2017. This Court granted interim order which reads, "There shall be interim direction as prayed for. However, this order will not preclude the respondents from proceeding in according to law".

3. Petitioners further allege that in spite of knowledge of interim directions of this Court, the authorities continue to interfere with their possession and threatening them. Petitioner issued legal notice on 13.1.2018 and also filed complaint dated 14.7.2018. Alleging inaction in registering crime though cognizable offence is made out, this writ petition is filed.

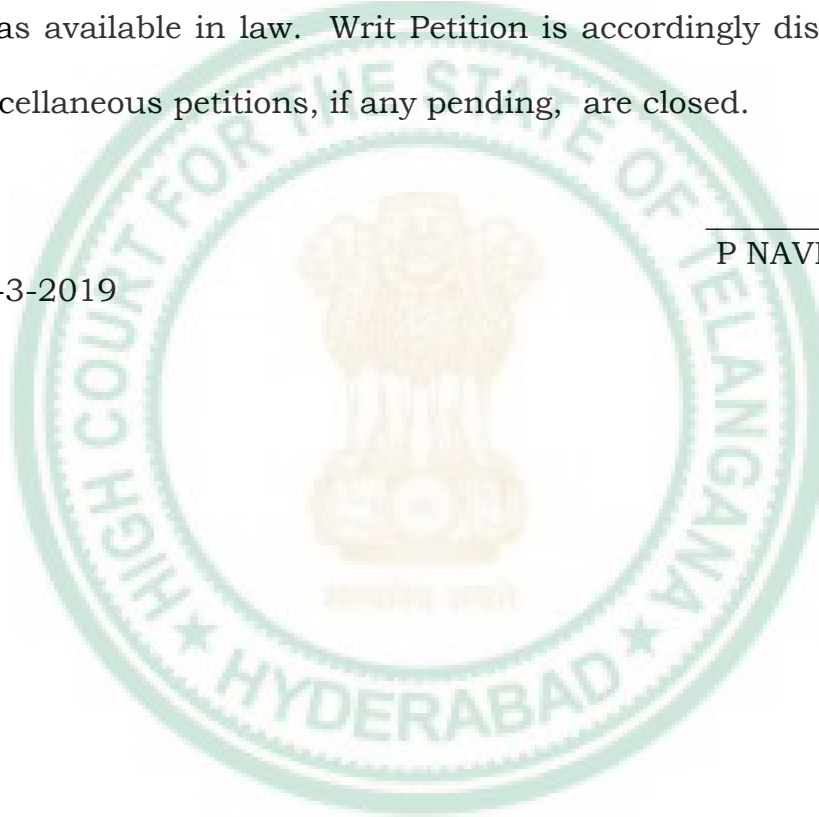
4. In the counter affidavit filed by 4th respondent, it is averred that petitioner has lodged complaint on 14.7.2018 alleging illegal demolition of structures by revenue officials. However, on 30.7.2018 Tahsildar, Amberpet has addressed letter informing about encroachments taking place at Wahednagar in TS No. 19, though WP No. 27089 of 2017 filed by petitioners is pending and that petitioners are

trying to change the nature of land by way of laying fencing and requested to depute police to control activities of encroachment near Moosi river. Based on the said letter, police protection was provided for removing encroachments in Survey No. 66 to an extent of 1784 sq mts which is government land adjacent to Moosi river. It is also stated that notice dated 12.8.2018 was communicated to petitioners to approach concerned revenue authorities for redressal of their grievance.

5. Thus, it cannot be said that there was inaction by respondent police on the crime reported by petitioner. If petitioner is aggrieved by notice dated 12.8.2018, he is entitled to avail appropriate remedies as available in law. Writ Petition is accordingly dismissed. No costs. Miscellaneous petitions, if any pending, are closed.

DATE: 14-3-2019
TVK

P NAVEEN RAO,J



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