

HON'BLE SRI JUSTICE P.KESHA VA RAO

W.P.No.8341 of 2012

ORDER:

The prayer sought in this Writ Petition is as under:

“.....to issue Writ of Mandamus declaring the action of the respondent Nos.1 and 2 in interfering with the civil rights pertaining to the petitioners' property in plot Nos.69 and 70, admeasuring 600 sq yds in Sy. No.45 of Miyapur village, Serilingampally Mandal, Ranga Reddy District and stopping the construction thereon and obstructing the enjoyment of the said property as illegal and arbitrary and consequently direct the respondent Nos.1 and 2 not to interfere with the petitioners' rights in respect of the said property in any manner.”

2. Learned Government Pleader for Home appearing for respondent Nos.1 to 4 placed on record the written instructions dated 28-03-2012 issued by the Inspector of Police, Miyapur Police Station, Cyberabad Commissionerate.

3. A perusal of the said instructions would reveal that on 19-03-2012, President, Vice President and Secretary of New Cyber Valley, Miyapur village, Serilingampally Mandal, Ranga Reddy District, have submitted a common petition to the Deputy Commissioner of Police, Madhapur Zone, Cyberabad, making allegations against one R.Venkateswara Rao and his family members and President of M/s.Navodaya Coop. House Building Society since they are interfering into their peaceful possession and enjoyment of

their property i.e. open plots in Sy. No.45 (p) situated at Miyapur village and requested to take necessary action.

4. On receipt of said petition, the Deputy Commissioner of Police, Madhapur village, endorsed it and forwarded the same to the Inspector of Police, Miyapur Police Station, through proper channel for taking necessary action.

5. After receiving the said petition, on going by the contents in the petition, the 3rd respondent was of the *prima facie* opinion that the matter is civil in nature and he called the office bearers of both the societies and advised them to settle the matter in a competent civil Court. However, no action was taken on the said petition as on the date of issuance of written instructions.

6. One R.Koteswara Rao, President of M/s.Navodaya Coop. House Building Society, has approached the 3rd respondent police on 16-03-2012 and lodged a complaint against the plot owners of New Cyber Valley as they are interfering with Sy. No.45 admeasuring to an extent of Ac.28.00 gts situated at Miyapur village and requested to take necessary action as per law.

7. After going through the contents of the said complaint, the 3rd respondent police found that there are no cognizable contents in the said petition. However, the same was entered into a General Diary, pursuant to which, no action was taken till the issuance of the written instructions.

8. It is also further mentioned in the written instructions that the dispute between the parties viz., New Cyber Valley and M/s.Navodaya Cooperative House Building Society is purely civil in nature and both are claiming rights over the subject land in Sy. No.45 and 45 (p) situated in Miyapur village and hence, no case whatsoever is registered against each complainant.

9. In fact, since it is also specifically mentioned that the disputes between two societies are purely civil in nature, the respondent-police have nothing to do with their personnel at civil dispute except advising them to settle the dispute in competent civil Court.

10. After hearing learned Government Pleader and having regard to the facts mentioned in the written instructions dated 28-03-2012, this Court is of the opinion that no cause would survive in the present Writ Petition.

11. Accordingly, the Writ Petition is closed. No costs.

12. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE P.KESHA VA RAO

Date: 07-09-2019

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