

THE HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.26918 of 2014

ORDER:

There is no representation on behalf of the petitioners.

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

“...to issue an appropriate Writ or order or direction more particularly one in the nature of Writ of Mandamus to direct the respondents No.1 to respondent No.3 not to detain the petitioners illegally and not to curtail liberty of the petitioners by preventing the respondent No.5 and 6 to do above illegal acts i.e., threatening etc., with the petitioners, and take action by punishing all the respondents if they or any men claiming through them if found approaching at the place of petitioners etc., and pass such other order or orders as this Honourable 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 Sub-Inspector of Police, Banjara Hills Police Station, Hyderabad.

4. From a perusal of the said written instructions, it is revealed that on 02.09.2014 one Mr.Nandikanti Abhishek, Manager of Soft Technologies, Panjagutta, Hyderabad, (5th respondent herein) approached the 3rd respondent along with Mr.Gaddam Dinesh i.e., the 1st petitioner herein, and filed a petition stating that the 1st petitioner has a firm under the name and style of M/s.Danunjaya Innovative Metal Wodrobe and asked for investing Rs.3,50,000/- offering a profit of Rs.25,000/- per month. However, he was not responding to the calls and informed to contact his parents. On receipt of the said complaint, an entry was made in the General Diary of the Station and caused enquiries with the 5th respondent and the 1st petitioner. Since

the matter is purely civil in nature, the respondent police advised the 5th respondent to approach a competent civil Court for redressal of his grievance. Thereafter, the 5th respondent and the petitioner left the police station on the same day itself i.e., on 02.09.2014. As on the date of issuance of the written instructions, no case of whatsoever was registered against the petitioners on the file of the Banjara Hills Police Station, Hyderabad. It is also further mentioned that one Mr.G.Anvesh, R/o.Musheerabad, who is the brother of the 1st petitioner herein, submitted a petition to the Secretary, High Court Legal Services Committee, Hyderabad, stating that the 1st petitioner was illegally detained by the police of Banjara Hills in the Police Station. Upon causing an enquiry, a report was submitted to the Secretary on 04.09.2014. As far as the allegation of the petitioners that the 3rd respondent illegally taken the 1st petitioner to the Police Station on 02.09.2014 and he was beaten mercilessly at the instigation of the respondents 5 and 6 and threatened that the case filed by the 1st petitioner should be withdrawn and he has to pay an amount of Rs.5,00,000/- to the respondents 5 and 6, failing which they will implicate the 1st petitioner along with his family members into several false and heinous cases and kept the 1st petitioner in their illegal custody up to midnight 12.30 hours and etc., are specifically denied. On the complaint of the 5th respondent, the respondent police advised the 5th respondent as well as the writ petitioners to seek redressal in a competent civil Court, since their dispute is purely civil in nature. At no point of time, the 3rd respondent detained the 1st petitioner illegally.

However, to wreak vengeance against the respondents 5 and 6, the petitioners made baseless allegations against the 3rd respondent. It is specifically mentioned that the 3rd respondent never interfered with the civil disputes, much less any dispute, of the petitioners with the respondents 5 and 6.

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. No order as to costs.

Miscellaneous petitions pending, if any, shall stand dismissed.

12th December 2019
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P. KESHA RAO, J

