

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

**WRIT PETITION No.28481 of 2013**

**ORDER:**

Heard learned counsel for the petitioners as well as learned Government Pleader appearing for the respondents 1 to 3.

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, not to interfere in the civil matter relating to the petitioners lands situated in Sy.Nos.339, 340, 341, 342 and 344 of an extent of Ac.13.22 Gts. in Gudur village, Bibinagar Mandal, Nalgonda District, in any manner, including by foisting false cases under any Act in a black-mail bid against the petitioners and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

3. Learned Government Pleader placed on record the written instructions issued by the Inspector of Police, Bhongir Rural Police Station, Nalgonda District. From a perusal of the said instructions, it is revealed that the 6<sup>th</sup> respondent herein lodged a complaint on 16.09.2013 with the Deputy Superintendent of Police, Bhongir, Nalgonda District, stating that the complainant and others have purchased the land in Survey Nos.339 and 340 admeasuring Ac.4.26 guntas situated at Gudur Village of Bibinagar Mandal, Nalgonda District, from the 1<sup>st</sup> petitioner and paid Rs.99 lakhs. However, the 6<sup>th</sup> respondent came to know that the land purchased by him was assigned land. When the 6<sup>th</sup> respondent requested the 1<sup>st</sup> petitioner to return the said land, the 1<sup>st</sup> petitioner abused in filthy language and threatened with dire consequences. Therefore, the 6<sup>th</sup> respondent requested the Deputy Superintendent of Police to take

necessary action. The said complaint was endorsed to the 3<sup>rd</sup> respondent, vide C.No.158/OP/SDPO-B/13, dated 16.09.2013, for enquiry and to take necessary action. On enquiry, it was revealed that there was a civil dispute between the 6<sup>th</sup> respondent and the petitioners herein with regard to the above said land and a case in Crime No.186 of 2013 was also registered against the petitioners on the file of the Osmania University Police Station, Hyderabad. It is specifically mentioned that the Circle Inspector of Police, Bhongir Rural, has not registered a case against the petitioners herein. Therefore, the allegation of the petitioner that the Circle Inspector of Police, Bhongir Rural, interfered with the land of the petitioners and threatened if the petitioners did not heed to the advise of the police, the police will implicate the petitioners in SC/ST (POA) Act case is incorrect. The present writ petition has been filed as a precautionary measure, if the 6<sup>th</sup> respondent or anybody lodges any complaint against the petitioners and to prevent the respondent police from taking any action against them. It is also specifically mentioned that the respondent police never interfered with the civil disputes between the petitioner and the unofficial respondents 4 to 6 with regard to the above said land at any point of time.

4. Though the prayer sought in the writ petition does not indicate any cause of action or grievance against the unofficial respondents, but in view of the written instructions and the statements made therein, the writ petition can be disposed of by recording the said statements.

5. At this stage, learned counsel appearing for the petitioners brought to the notice of this Court that after filing of the writ petition, the respondent police are not interfering with the peaceful possession over the subject land and are not interfering with the life and liberty of the petitioners.

6. Therefore, taking the said submissions into consideration and also in the light of the written instructions, this Court is of the opinion that no cause would survive in the writ petition and the same is liable to be closed.

7. Accordingly, the writ petition is closed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

9<sup>th</sup> December 2019

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**P. KESHA VA RAO, J**

