

THE HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.3483 of 2014

ORDER:

Heard learned counsel for the petitioner as well as learned Government Pleader appearing for respondent Nos.1 to 5.

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

“...to issue a writ or order more particularly one in nature of writ of mandamus declaring that the respondents 1 to 5 have no right to meddle with petitioner’s property rights in spite of judgment and decree in O.S.No.709/2009, dt.15.09.2009 of the Hon’ble Civil Court and to interfere in the rights of the petitioner over the premises No.1-57/73-A in Plot No.73-A admeasuring 200 Sq. yards and steps to help Ch.V.Radha Krishna and batch of elements violating the Judgment and decree in O.S.No.709 of 2009 as illegal, arbitrary, malafide and consequently directions to the respondents not to cause any illegal interference in the enjoyment of the petitioner’s property bearing premises No.1-57/73-A and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

3. During the course of hearing, learned Government Pleader placed on record the written instructions, dated 30.10.2019, issued by the Assistant Sub-Inspector of Police, Gachibowli Police Station, Cyberabad Commissionerate.

4. From a perusal of the said written instructions, it is revealed that on the complaint lodged by one Ch.Radhakrishna i.e., the 6th respondent herein, a case in Crime No.531 of 2013 for the offences under Sections 447, 420 and 506 IPC was registered on the file of the Madhapur Police Station. During the course of investigation,

witnesses were examined and their statements were recorded. After completion of investigation, final report was also filed and after taking cognizance of the offences, the case is taken on the file as C.C.No.394 of 2014 on the file of the IX Metropolitan Magistrate, Kukatpally. It is also mentioned in the written instructions that the said case ended in acquittal.

5. Learned Government Pleader also brought to the notice of this Court that respondent Nos.1 to 5 are not interfering with the petitioner's property nor helping the 6th respondent and his associates in violating the judgment and decree in O.S.No.709 of 2009.

6. In the light of the said submission, this Court is of the opinion that no further cause would survive in the writ petition.

7. Accordingly, the writ petition is closed. However, it is open for the petitioner to take appropriate steps, if the judgment and decree in O.S.No.709 of 2009 is violated, as per law.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

31st October 2019

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P. KESHA VA RAO, J