

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.44689 of 2018

DATED:25-03-2019

Between :

Alluri Satyanarayana Raju S/o.Raghava Raju
Aged about 64 years, r/o.Flat No.101, Sai Sreenivasa
Apartments, A.S.Raju Nagar, Kukatpally,
Hyderabad.

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Petitioner

And

The State of Telangana, rep.by Principal
Secretary, Home Department,
Secretariat, Hyderabad and others.

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Respondents



This court made the following :

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WP.No.44689 of 2018

ORDER :

Petitioner claims to be the joint owner of land to an extent of Ac.11.01 guntas in Sy.No.261 and Ac.10.14 guntas in Sy.No.265 of Chilkur village, Moinabad Mandal, R.R. District. There appears to be *inter se* dispute between the petitioner and unofficial respondents. It appears exparte decree was passed in O.S.No.33 of 2000 in the Court of Senior Civil Judge at Vikarabad on 13-04-2001. It is seen from the averments in the affidavit, O.S.No.67 of 2003 was filed for cancellation of exparte judgment and decree dated 13-04-2001 and in the said suit, injunction order was granted and said suit was renumbered as O.S.No.114 of 2013 in the Court of XII Additional District Judge, Vikarabad. This writ petition is filed alleging that police are not taking any action in preventing respondent Nos 6 and 7 from interfering with the possession and enjoyment of petitioner in the above extent of land and direct the respondent-police to issue protection till disposal of suit in OS.No.114 of 2013.

02. Learned counsel appearing for respondent Nos 6 and 7 denies the allegations and contend that respondent Nos 6 and 7 are not interfering, they are only protecting their property while constructing the fence around the land owned by them and there is no interference.

03. According to learned Government Pleader for Home, two complaints were received from the petitioner and unofficial respondents respectively on 16-08-2018 in Moinabad Police Station and G.D.entry was made and on enquiring into the matter,

it was found that civil litigation is pending and parties were informed of the same. The police cannot interfere into *inter se* civil disputes and the parties have to resolve those disputes. Even otherwise, from the reading of prayer portion of affidavit, the petitioner is seeking for injunction order against respondent Nos 6 and 7 and enforcement of injunction order through police, but no such relief can be granted in a writ petition under Article 226 of the Constitution of India.

04. Leaving it open to the petitioner to work out his remedies in the pending suit, this writ petition is dismissed. No order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

25-03-2019
Nvl

P.NAVEEN RAO,J

