

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 47457 of 2018

Date : 22.2.2019

Between:

Chekolekar Krishna S/o Late Chekolekar Mogulaiah  
Aged 41 years Occ Business R/o H No 16-11-19/5/2/D1  
Saleem Nagar Malakpet Hyderabad Telangana State  
Petitioner

And

The State of Telangana  
Rep by its Principal Secretary Home Department Secretariat  
Building Hyderabad & others  
Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Home.

2. This writ petition is filed alleging that respondents 4 and 5 are interfering in civil dispute with regard to land belonging to petitioner in Survey No. 316/1E, Mangalaram village, Moinabad mandal, Ranga Reddy.

3. Learned counsel for petitioner submits that aggrieved by involvement of unofficial respondents, petitioner instituted O S No. 238 of 2018 on the file of Junior Civil Judge, Chevella and obtained injunction order dated 12.12.2018 in I A No. 802 of 2018. He further submits that having full knowledge of injunction granted by the trial Court, false complaint is filed and under the guise of false complaint, police are interfering in civil dispute.

4. Based on the written instructions furnished to learned Government Pleader, he would submit that on complaint lodged by 8<sup>th</sup> respondent on 18.12.2018, Crime No. 500 of 2018 was registered under Section 448, 427 and 506 IPC in Moinabad police station against one Mr. Gandaiah and petitioner. Petitioner is shown as accused no.2. It appears first accused surrendered before the concerned Court on 27.12.2018 and was enlarged on bail. According to written instructions, investigation is at the initial stage and necessary steps will be taken against the concerned accused depending on the evidence adduced during the course of investigation. It is also stated that police are not interfering in civil dispute but only causing enquiry based on the complaint lodged by 8<sup>th</sup> respondent.

5. In view of registration of crime and investigation undertaken by police, it cannot be said that police are interfering in civil dispute. However, it is needless to observe that police are required to follow the due process in the matter of conducting investigation and shall not interfere in the civil disputes. It is also open to the petitioner to workout remedies if injunction order granted by trial Court subsists and is violated. No costs. Miscellaneous petitions, if any pending, are closed.

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P NAVEEN RAO,J

DATE: 22-2-2019  
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