

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.1407 of 2020

ORDER:

The present writ petition is filed questioning the action of the 4th respondent-Station House Officer, West Marredpally Police Station, Secunderabad, in interfering in the civil disputes between the petitioner and 5th respondent.

2. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home.

3. Learned Assistant Government Pleader for Home received written instructions, dated 23.01.2020, from the office of the Sub-Inspector of Police, Mareddpally Police Station, Hyderabad City. A copy of the said written instructions is placed on record of this Court.

4. In the aforesaid written instructions, it is stated that the 5th respondent in the present writ petition filed a petition, dated 21.11.2019, before the 4th respondent, against the petitioner, for illegally trespassing into his Flat situated at Sai Datta Apartment, West Mareddpally. It is further stated that, on receipt of the above petition, an entry in the General Diary was made and during enquiry, it was disclosed that the matter pertains to owner and tenant issue, and as such, the petition was closed. However, by the said instructions, it is stated that the residents of Sai Datta Residency also lodged a complaint before the 4th respondent, on 26.12.2019, stating that the petitioner is coming to the apartment in the late night in drunken condition and threatening the watchman and not allowing them to live there and further, the petitioner is also causing blockage to vehicles and causing inconvenience to the

members of the apartment. Upon such complaint, an entry in the General Diary was made and during enquiry, both the parties have settled the issue.

5. While that being so, it is further stated that, one Sheshagiri Rao, who is neighbour to the petitioner, made a call to the police by dialing 100 stating that the petitioner has abused him in filthy language and created nuisance in drunken condition, upon which, the police went there, and when conducted breath analyzer test on the petitioner, he was in drunken condition, and as such a petty case was registered, *vide* No.HYD2329PC20100060, on 10.01.2019, for the offence under Sections 70A and 70B of the City Police Act and produced the petitioner before the learned XV Special Magistrate, Secunderabad, *vide* STC No.348 of 2020, wherein the learned Magistrate convicted the petitioner and imposed a fine of Rs.100/-. The allegation made in the writ petition, that the official respondents are interfering in the civil disputes between the petitioner and the 5th respondent, is denied by the aforestated written instructions and it is stated that the police never interfered in the civil disputes of the petitioner at any point of time. Since several complaints were given against the petitioner by his neighbours, the police caused enquiries and later filed a petty case.

4. Having regard to the above written instructions, and since it is stated that, except conducting investigation into the complaints received against the petitioner, the police never interfered in the civil disputes between the petitioner and the 5th respondent, no further orders need be passed in the present writ petition.

5. Accordingly, the writ petition is closed. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

JUSTICE T.VINOD KUMAR

Date:27.01.2020

GJ

