

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.1838 of 2020

ORDER:

The present writ petition is filed to declare the action of respondents 3 and 4 in interfering with civil disputes at the instance of respondents 5 to 7 in respect of property bearing premises No.6-2-103, admeasuring 1080 square yards situated at Balanagar, Medchal-Malkajgiri District, as illegal and arbitrary.

2. Heard the learned counsel for the petitioner, the learned Assistant Government Pleader for Home appearing for respondents 1 to 3, learned Government Pleader for Prohibition and Excise, appearing for the 4th respondent and Sri R.Dheeraj Singh, learned counsel for respondents 5 to 7.

3. It is claimed that there are *inter se* disputes between the petitioner and respondents 5 to 7, in respect of the subject property, pending before the V Additional Junior Civil Judge at Kukatpally, in O.S.No.161 of 2019. While the matter is pending consideration before the learned trial Court, it is claimed that the 3rd and 4th respondents are interfering in the civil disputes at the instance of respondents 5 to 7.

4. Learned Assistant Government Pleader for Home, on written instructions, dated 29.01.2020, submits that based on the complaint of the 5th respondent, a case is registered in Crime No.343 of 2019 under Sections 342, 448, 427 and 506 IPC on the file of Balanagar Police station, on 19.09.2019, wherein the petitioner in the present writ petition is arrayed as the accused and during the course of investigation, notice under Section 41-A Cr.P.C. was served on the accused on 20.01.2020 and

the case is under investigation for collection of evidence. Learned Assistant Government Pleader would further submit that the 3rd respondent, except conducting investigation in the above case, never interfered in the civil disputes of the petitioner, at any point of time. It is further submitted that on 24.01.2020, the respondent police also received a call regarding quarrel taking place at the subject premises, whereupon the police went there and disbursed the mob. Further, on 25.01.2020, another call was received with regard to the quarrel taking place, whereupon the police authorities registered a case in Crime No.45 of 2020 against the accused and the case registered earlier on 19.09.2019 and 25.01.2020 are under investigation. By the said instructions, it is also stated that except registering the cases, based on the calls received by way of Dial 100, the police never interfered in the civil disputes between the petitioner and respondents 5 to 7, at any point of time.

4. Having regard to the above assertions made on behalf of the 3rd respondent that the respondent police never interfered in the civil disputes of the petitioner and respondents 5 to 7 at any point of time, no further orders need be passed in the present writ petition.

5. The writ petition is accordingly closed. Pending miscellaneous petitions, if any, shall also stand closed in the light of this final order. No order as to costs.

JUSTICE T.VINOD KUMAR

Date:30.01.2020

GJ