

HIGH COURT FOR THE STATE OF TELANGANA
(Special Original Jurisdiction)

TUESDAY, THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY

PRESENT

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 16650 OF 2020

Between:

Sunil Singh, S/o. Mahaveer Singh, Aged about 37 years, Occ. Business,
R/o. H.No.13-1-1181, Kumarwadi, Karwan, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, T.S. Secretariat Buildings, Hyderabad,
2. The Commissioner of Police, Hyderabad Commissionerate, Basheerbagh, Hyderabad.
3. The Assistant Commissioner of Police, Asifnagar, Hyderabad.
4. The Station House Officer, Tappachabutra P.S., Hyderabad.
5. T.Rachanabai, W/o. T.Bakesh Singh, Aged about 35 years, Occ. House Hold, R/o. 13-2-267/A/58, Rahimpura, Shivalalnagar, Hyderabad, Telangana State.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the Respondent No.4 in calling the petitioner to the police station and to make him to sit to settle the civil disputes without there being any complaint registered against the petitioner is illegal, arbitrary against the provisions of Cr.P.C. and violative of Article 21 of the Constitution of India and also violation of Settled Principles of law laid down by the Hon'ble Constitutional courts and consequently direct the respondent No.4 not to force/call the petitioner to sit in the P.S. in the absence of any registered complaint under the threat of settling the Civil Disputes and

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent No.4 not to force/call the petitioner to sit in the P.S. in the absence of any registered complaint under the threat of settling the civil disputes pending disposal of the main Writ Petition.

Counsel for the Petitioner: SRI L. RAM SINGH

Counsel for the Respondent Nos. 1 to 4: AGP FOR HOME

Counsel for the Respondent No.5: NONE APPEARED

The Court made the following: ORDER

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.16650 OF 2020

ORDER:

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

2. Petitioner claims that his father Sri Mahaveer Singh owns land to an extent of 815 square yards and his father constructed house admeasuring 407.5 square yards. The father of petitioner has gifted the property bearing Municipal H.No.13-1-1183/1 admeasuring 407.5 square yards in Kumarwadi, Natraj Nagar, Hyderabad to him and ever since he is in possession and enjoyment of the said property.

3. It appears from reading of averments in the affidavit filed in support of the writ petition, there is *inter se* dispute between the petitioner and the 5th respondent. Petitioner now alleges that at the instance of 5th respondent, police are frequently calling the petitioner to the police station and threatening him with dire consequences, unless he settles the disputes with the 5th respondent. In this writ petition, petitioner seeks declaration of the action of the 4th respondent in calling the petitioner to the police station, making him sit in the police station and directing him to settle the civil disputes as illegal.

4. On instructions, learned Assistant Government Pleader submits that the 5th respondent lodged a complaint with the Deputy Commissioner of Police. On receipt of the complaint, GD entry was made and the petitioner was called to the police station in the process of enquiry on the contents of complaint lodged by the 5th respondent. According to learned Assistant Government

Pleader, so far, no crime is registered and based on the instructions furnished to him, he submits that police are not interfering in *inter se* civil disputes and enquiry is confined only to verify the contents of complaint lodged by the 5th respondent.

5. Learned counsel for the petitioner is satisfied with the said statement of learned Assistant Government Pleader.

6. Recording the said statement of learned Assistant Government Pleader, this writ petition is disposed of. It is needless to observe that police shall not interfere with the *inter se* civil dispute pending between the petitioner and the 5th respondent and they shall not unnecessarily call the petitioner to the police station unless they require his presence in the process of enquiring into the crime reported by the 5th respondent and only by following due process. Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

//TRUE COPY//

SD/- K. ONESIM
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Home Department, State of Telangana, T.S. Secretariat Buildings, Hyderabad.
2. The Commissioner of Police, Hyderabad Commissionerate, Basheerbagh, Hyderabad.
3. The Assistant Commissioner of Police, Asifnagar, Hyderabad.
4. The Station House Officer, Tappachabutra P.S., Hyderabad.
5. One CC to Sri. L. Ram Singh, Advocate [OPUC]
6. Two CCs to GP for Home, High Court for the State of Telangana. [OUT]
7. Two CD Copies

Prk
GSK

HIGH COURT

DATED:06/10/2020

ORDER

WP.No.16650 of 2020



Disposing of the WP.
without costs.

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09/10/2020