HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY ,THE NINETEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO: 18536 OF 2020

Between:

1. Mohd. Habeebuddin, S/o.Haji Mohd. masthan. Aged about 48 years, Occ. Agriculture. R/o.H.No.8-4-369/124, Banjara Nagar, Borabanda, Hyderabad.
2. Mohd. Abdul Awaiz Khan, S/o. Mohd. Abdul Aziz Khan, Aged about 32 years, Occ. Business R/o. H.No.12-2-95, Murad Nagar Mehdipatnam. Hyderabad.

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Principle Secretary, Home Department, Secretariat Buildings, Secretariat, Hyderabad.
2. The Superintendent of Police, sangareddy, Sangareddy District.
3. The Circle inspector of Police, Zaheerabad, Sangareddy District.
4. The Sub-Inspector of Police, Kohir P.S., Kothur (D) Village,Kohir Mandal, Sangareddy District.
5. Mohd. Rafiq, S/o. Mohd. Yousuf, Aged about 40 years, Occ. Business, R/o. H.No.285, Type I, Site-III, NRR Puram, Borabanda, Hyderabad.

...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 any order or orders or direction or writ or writs, more particularly one in the nature of writ of Mandamus declaring the action of the 4th respondent in entering into Civil disputes by calling the petitioners to the Police Station, P.S. Kohir and threatening to settle the Civil dispute involved in O.S.No.133 of 2020 with the 5th respondent at the instance of the 5th srespondent is as illegal, arbitrary, malafide and violation of principles of natural justice.

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 4th respondent not to enter into the Civil disputes and not to threaten the petitioners to settle the matter with the 5th respondent involved in O.S.No.133 of 2020, pending disposal of the above writ petition in the interest of justice and equity.

Counsel for the Petitioner :SRI Ch. JANARDHAN REDDY
Counsel for the Respondent Nos.1 to 4: AGP FOR HOME
Counsel for the Respondent No.5:----------

The Court made the following: ORDER

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.18536 of 2020

ORDER :

Heard learned counsel for petitioners and learned Assistant Government Pleader for Home.

2. According to petitioners, they are owners and in possession of land to an extent of 28 guntas in Sy.No.81/AA/3A at Kothur (D) Village, Kohir Mandal in Sanga Reddy District. It appears that there is dispute between petitioners and fifth respondent and petitioners instituted O.S.No.133 of 2020 in the Court of Junior Civil Judge at Zaheerabad for grant of decree of Perpetual Injunction against fifth respondent. They have also filed I.A.No.470 of 2020 seeking to grant *ad interim* injunction and by order dated 25.08.2020, *ad interim* injunction was granted restraining fifth respondent from interfering in peaceful possession and enjoyment of above mentioned land. That being so, petitioners now allege that the Sub-Inspector of Police is interfering in *inter se* civil disputes, calling upon the petitioners to the police station and threatening them with dire consequences, if they do not settle the *inter se* civil disputes in favour of fifth respondent.

3. According to learned counsel for petitioners, against illegal actions of fifth respondent, though petitioners lodged complaints, their complaints are not registered, but the complaint filed by fifth respondent is registered as crime No.96 of 2020. He further submits that aggrieved by registration of crime, petitioners filed Crl.P.No.5156 of 2020 and this Court granted stay of further proceedings in the said crime. He, therefore, submits that

as of now police are not entitled to investigate into any crime and they cannot interfere in *inter se* civil disputes.

4. On the allegation of interference in *inter se* civil disputes, learned Assistant Government Pleader, on instructions denies and asserts that police are not interfering in civil disputes.

5. Having regard to the said statement, this writ petition is disposed of. It is needless to observe that police shall not interfere in *inter se* civil disputes and it shall be left to the parties to work out their remedies. With reference to further grievance of the petitioners that the crime reported by them is not registered, it is for the petitioners to work out their remedies as available in law. Pending miscellaneous petitions, if any, shall stand closed.

SD/-K.VENKAIAH
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principle Secretary, Home Department, State of Telangana, Secretariat Buildings, Secretariat, Hyderabad.
2. The Superintendent of Police, Sangareddy, Sangareddy District.
3. The Circle inspector of Police, Zaheerabad, Sangareddy District.
4. The Sub-Inspector of Police, Kohir P.S., Kothur (D) Village, Kohir Mandal, Sangareddy District.
5. One CC to Sri Ch. Janardhan Reddy, Advocate [OPUC]
6. Two CCs to GP for Home, High Court for the State of Telangana at Hyderabad. [OUT]
7. Two CD Copies

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HIGH COURT

DATED:19/11/2020



ORDER

WP.No.18536 of 2020

DISPOSING OF THE WP

WITHOUT COSTS

27/11/2020