

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

FRIDAY, THE EIGHTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY ONE

**PRESENT
THE HONOURABLE SRI JUSTICE K.LAKSHMAN**

WRIT PETITION NO: 13631 OF 2021

Between:

Peyyala Swamy Prasad, S/o. Mojes, Aged 54 years, Occ. Advocate, R/o. H.No.19-1113, Near St. Mary's School, Church Road, Miryalguda, Nalgonda District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat Buildings, Secretariat, Hyderabad.
2. The Superintendent of Police, Nalgonda, Nalgonda District.
3. The Circle Inspector of Police, Tirumalagiri (Sagar), Nalgonda District.
4. The Station House Officer, Tirumalagiri (Sagar), Nalgonda District.
5. Godetti Venkatamma @ Mekala Venkatamma, W/o. Venkateswarlu, D/o.Lingalah, age 41 years, Occ. Agriculture, R/o.Nethapuram Village, Nadimanoor Mandal, Nalgonda District.
6. Bolligorla Venkamma, W/o Bikshamaiah, Aged about 45 years, Occ. Agriculture, R/o. Kompally Village, Tirumalagiri Mandal, Nalgonda District.

...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 an appropriate writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS challenging the action of the Respondents herein more particularly Respondents No.3 and 4 in interfering in peaceful possession of agricultural land of the Petitioner in Sy.No.97, admeasuring Ac.5-00 gts., and Sy.No.99/5 extent Ac.2.31 gts., both situated in Kompally Village, Tirumalagiri Mandal, Nalgonda District and demanding the Petitioner to handover the agricultural land of the Petitioner in Sy.No.97, admeasuring Ac.5-00 gts., and Sy.No.99/5 extent Ac.2.31 gts., both situated in Kompally Village, Tirumalagiri Mandal, Nalgonda District, to the Respondent No.5 and 6 as illegal, arbitrary, unjust violation of Article 14, 15 and 21 of the Constitution of India and to consequently direct the Respondents No.3 and 4 not to call the Petitioner to the Police Station to hand over Petitioners agricultural land in Sy.No.97, admeasuring Ac.5-00 gts., and Sy.No.99/5 extent Ac.2.31 gts., both situated in Kompally Village, Tirumalagiri Mandal, Nalgonda District, to Respondents No.5 and 6 and also to consider the representation of the Petitioner herein dt.11-06-2021, in the interest of justice

IA NO: 1 OF 2021

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 Respondents No.3 and 4 not to call the Petitioner to the Police Station to hand over Petitioners agricultural land in Sy.No.97, admeasuring Ac.5-00 gts., and Sy.No.99/5 extent Ac.2.31 gts., both situated in Kompally Village, Tirumalagiri Mandal, Nalgonda District, to Respondents No.5 and 6 and also to consider the representation of the Petitioner herein dt.11-06-2021, in the interest of justice, pending disposal of the writ petition

**Counsel for the Petitioner : SRI RAPOLU BHASKAR
Counsel for the Respondent Nos.1 to 4 : GP FOR HOME
Counsel for the Respondent Nos.5 & 6 : --**

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.13631 of 2021

ORDER:

This writ petition is filed to declare the action of the respondent Nos.3 and 4 in interfering with the peaceful possession of agricultural land of the petitioner in Sy.No.97, admeasuring Ac.5-00 gts., and Sy.No.995/5 extent AC.2.31 gts both situated in Kompally Village, Tirumalagiri Mandal, Nalgonda District and demanding the petitioner to handover the same to respondents 5 and 6, as illegal and arbitrary and sought for a consequential direction to the respondents not to call the petitioner to police station and insist him to hand over the subject property to respondents 5 and 6.

2. Heard Sri Rapolu Bhaskar, learned counsel for the petitioner and learned Assistant Government Pleader for Home. Perused the record.

3. A perusal of the record would reveal that the 5th respondent has filed a suit vide O.S.No.148 of 2018 seeking perpetual injunction against the petitioner herein. She has also filed an interlocutory application vide I.A.No.419 of 2018 in O.S.No.148 of 2018 seeking interim injunction. The said interlocutory application was dismissed by the Court below vide order dated 22.10.2019 and it is a contested order. According to the learned counsel for the petitioner, the 5th respondent did not prefer an appeal against the said order and the said order has attained finality and the suit is pending. During the

pendency of the said suit, according to the learned counsel, the 4th respondent is threatening the petitioner to settle the dispute with respondents 5 and 6 and the handover the possession of the subject property to them. There is a specific assertion with regard to the same in paragraph No.6 of the writ affidavit.

4. On the other hand, learned Assistant Government Pleader for Home, on instructions would submit that the 4th respondent never interfered with the civil disputes between the petitioner and respondents 5 and 6. He further submits that if any complaint is received against the petitioner, the 4th respondent will investigate into the same, in accordance with law.

5. Recording the submission of the learned Assistant Government Pleader for Home, this writ petition is disposed of directing the 4th respondent not to interfere with the civil disputes between the petitioner and respondents 5 and 6. However, the 4th respondent is at liberty to take action on the complaint, if any, received against the petitioner herein. No costs.

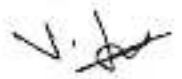
Miscellaneous petitions, if any, pending, shall stand closed.

SD/-N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To

1. The Station House Officer, Tirumalagiri (Sagar), Nalgonda District.
 2. One CC to Sri Rapolu Bhaskar, Advocate [OPUC]
 3. Two CCs to GP for Home, High Court for the State of Telangana at Hyderabad [OUT]
 4. Two CD Copies
 5. One Spare Copy
- Kj.
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HIGH COURT

DATED:18/06/2021

ORDER

WP.No.13631 of 2021



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.

⑦ VLW
28/6/21