

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

FRIDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER

WRIT PETITION NO: 4267 OF 2022

Between:

Smt. Raparathi Jayasri, W/o Venkanna, Age.71 years, Occ. Agriculture,
R/o. Suryapet Town and District.

...PETITIONER

AND

1. The State of Telangana, Rep. its Principal Secretary, (Home Department),
Secretariat at Hyderabad.
2. The Superintendent of Police, at Suryapeta
3. The Dy Superintendent of Police, Suryapeta.
4. The Station House Officer, Suryapeta Rural Police Station
5. Ullendula Maraih, S/o. Thirupataiah, age. 59 Years, Occ. Agriculture,
R/o .Pillalamarri(V), Suryapet Mandal , Suryapeta 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 a Writ or order or direction more particularly in the nature of WRIT OF MANDAMUS declaring the high handed action of the respondent NO. 2 to 4 mainly the 4th respondent who are interfering pouring threats to foist false cases each and every day when the civil suit is pending between the petitioner and the 5th respondent vide OS. No. 34 of 2016 of 2019 on the file of the Prl. Junior Civil judge Suryapeta in subject lands, are illegal improper arbitrary , unconstitutional, violating the natural justice and without jurisdiction , Consequently, direct the respondents/ police not to make threats to evict from her agricultural lands and not to obstruct her and her family members in agricultural operations in our lands under guise of the false cases.

IA NO: 1 OF 2022

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/ police not to make threats or to call to their police station for evict/ settlement from our agricultural lands, while not to obstruct the petitioner's and her family members in doing agricultural operations in their lands under guise of the false cases.

Counsel for the Petitioner: SRI. G.L.NARASIMHA RAO

Counsel for the Respondent No. 1 to 4: GP FOR HOME

Counsel for the Respondent No. 5: NONE APPEARED

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.4267 OF 2022

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner, wherein, the following prayer is made:

"...to issue a Writ or order or direction more particularly in the nature of WRIT OF MANDAMUS declaring the high handed action of the respondent NO.2 to 4 mainly the 4th respondent who are interfering pouring threats to foist false cases each and every day when the civil suit is pending between the petitioner and the 5th respondent vide OS. No.34 of 2016 of 2019 on the file of the Pri. Junior Civil judge Suryapeta in subject lands are illegal improper arbitrary, unconstitutional, violating the natural justice and without jurisdiction, Consequently direct the respondents/police not to make threats to evict from her agricultural lands and not to obstruct her and her family members in agricultural operations in our lands under guise of the false cases and pass such other order or orders..."

2. Heard both sides. Perused the record.
3. In the course of submissions, it is brought to the notice of this Court by the learned Assistant Government Pleader for Home appearing for the official respondent Nos.1 to 4 that already three criminal cases are registered against the husband of the petitioner, i.e., (i) Crime No.14 of 2022 of Suryapet Rural Police Station, for the offences under Sections 447, 323, 504 506 r/w 34 of IPC and 1(1)(r)(s) of SC & ST (PoA) Act; (ii) Crime No.297 of 2021 of Suryapet Rural Police Station for the offences under Sections 447, 427, 504, 506 r/w 34 of IPC, wherein charge-sheet is filed; and (iii) Crime No.339 of 2021 of Suryapet Rural Police Station for the offences under Sections 447 & 427 of IPC.
4. In view of the above, it cannot be held that the respondents are highhandedly interfering and giving threats to foist false cases against the petitioner. The allegations made by the petitioner against the respondents cannot be taken as true. There is no violation of

fundamental rights of the petitioner, as contended.
The petitioner / her husband has to work out the remedies available to her under law.

5. With the above observation, this writ petition is disposed of.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

SD/-P.PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, (Home Department), State of Telangana, Secretariat at Hyderabad.
2. The Superintendent of Police, at Suryapeta
3. The Dy Superintendent of Police, Suryapeta.
4. The Station House Officer, Suryapeta Rural Police Station
5. One CC to SRI. G.L.NARASIMHA RAO Advocate [OPUC]
6. Two CCs to GP FOR HOME, High Court for the State of Telangana. [OUT]
7. Two CD Copies.
8. One Spare Copy.

GB



HIGH COURT

DATED:28/01/2022

ORDER

WP.No.4267 of 2022



DISPOSING OF THE WP
WITHOUT COSTS.

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