

HIGH COURT FOR THE STATE OF TELANGANA
(Special Original Jurisdiction)
FRIDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO
PRESENT

THE HON'BLE SRI JUSTICE B.VIJAYSEN REDDY
WRIT PETITION NO: 46622 OF 2022

Between:

1. Vernulawada Prameela, W/o. Late Yadaiah, Occ. Nil, Ainapur Village, Cheryal Mandal, Warangal District.
2. Merugu Sattavva, W/o. Merugu Narsaiah, Occ. Housewife, Ainapur Village, Cheryal Mandal, Warangal District.
3. U.Narsamma, W/o. Sailu, Occ. Housewife, Ainapur Village, Cheryal Mandal, Warangal District.

...PETITIONERS

AND

1. The State of Telangana, rep by its Principal Secretary, Home Department Secretariat, Hyderabad.
2. The Commissioner of Police, Siddipeta Commissionerate.
3. The Circle Inspector of Police, Cheryal Police Station, Siddipeta Commissionerate.
4. Station House Officer, Kurnavelli Police Station Siddipeta Commissionerate.
5. Tirumala Gopala Chary, S/o Narasimha Chary, Occ. Real Estate Business, R/o Ainapur Village, Cheryal Mandal, Warangal District
6. Tirumala Bhargavi, W/o Tirumala. Gopala Chary, Occ. Housewife, R/o Ainapur Village, Cheryal Mandal, Warangal 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, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No. 3 and 4 in involving in Civil disputes and pressurizing the petitioners to vacate house properties and damaging the boundary stones, structures there on situated in Sy.No. 213/A of Ainapur Village, Cheryal Mandal, Siddipet District in an extent of Ac.2-20 guntas at the instance of the Respondents No.5 and 6 is arbitrary and illegal and consequently direct the 2nd respondent to initiate legal, disciplinary action against the Respondent No.3 and 6.

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 Respondent No.2 to 4 to take legal action against the Respondent Nos. 5 and 6 as per the Petitioners complaint dated 24/12/2022, forthwith.

IA NO: 2 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 No. 3 and 4 not to interfere in civil disputes in respect of the house properties and damaging the boundary stones, structures there on situated in Sy.No. 213/A of Ainapur Village, Cheryal Mandal, Siddipet District in an extent of Ac.2-20 guntas at the instance of the Respondents No.5 and 6.

Counsel for the Petitioners: SRI. THADIKONDA KOTESHWARA PRASAD

Counsel for the Respondents Nos. 1 to 4 : GP FOR HOME

The Court made the following:

HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRT PETITION No.46622 OF 2022

ORDER : (ORAL)

Heard Mr. T. Koteshwara Prasad, learned counsel for petitioners, and learned Assistant Government Pleader for Home, and perused the material on record.

2. Petitioners are aggrieved by the action of respondent Nos.3 and 4 - the Circle Inspector of Police, Cheryala Police Station, Siddipet Commissionerate and the Station House Officer, Komaravelli Police Station, Siddipet Commissionerate respectively, in interfering in their civil disputes, pressurizing them to vacate house properties, damaging boundary stones and structures thereon situated in Survey No.213/A of Ainapur Village, Cheryal Mandal, Siddipet District.

3. Based on the written instructions dated 29.12.2022 of the Sub-Inspector of Police, Komaravelli Police Station, Siddipet Commissionerate, the learned Assistant Government Pleader for Home submits that the petitioner has lodged a complaint on 24.12.2022 with respondent No.4 in connection with Acs.2.20 guntas of land in Survey No.213/A stating that respondent No.5 has removed boundary stones of the said land and requested to take necessary action against him. On receipt of the complaint dated 24.12.2022 from the petitioner, an entry was made in

the General Diary and enquiry was done. During enquiry, it was revealed that the matter is purely civil in nature, as such, the complaint was closed and the same was intimated to the petitioners on 29.12.2022 through registered post. He submits that the respondents - police never interfered in civil disputes of the petitioners. A complaint was lodged by respondent No.5 against the petitioners on 01.12.2022, which was also enquired into and was also closed as civil in nature.

4. Recording the aforesaid submissions of the learned Assistant Government Pleader for Home, the writ petition is closed directing respondent Nos.3 and 4 not to interfere in civil disputes pending between the petitioners and unofficial respondents without following due process of law. This order shall not have any bearing on the disputes regarding title and possession between the petitioners, unofficial respondents and third parties. There shall be no order as to costs.

5. As a sequel thereto, miscellaneous applications, if any, pending in this writ petition shall stand closed.

SD/-P.CH.NAGABHUSHAMBA
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. One CC to SRI. THADIKONDA KOTESHWARA PRASAD Advocate [OPUC]

HIGH COURT

BVR,J

DATED:30/12/2022

ORDER

WP.No.46622 of 2022



WRIT PETITION IS CLOSED WITHOUT COSTS