

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

THURSDAY, THE NINTH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION NO: 5645 OF 2023

Between:

Yennam Venkata Siva Reddy, S/o. Yeennam Boreddy, Aged about 56 Years,
Occ. Business, R/o. Plot No.147 and 157, Mounika Rock Hills, Rock hills,
Rock Town Colony, L.B. Nagar, Ranga Reddy District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat, Hyderabad.
2. The Commissioner of Police, Rachakonda Commissionerate, Malkajgiri District, Telangana State.
3. The Station House Officer, Saroornagar Police Station, Rachakonda Commissionerate, Malkajgiri District, Telangana State.
4. Nimmagadda Raja Giridhar Kumar, S/o. N. Janardhan Rao Aged. 59 years, Occ. Business, R/o. Plot No.110, Phase - IV, Vanasthalipuram, 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 a writ or more in the nature of a writ of Mandamus or any other appropriate writ order or direction, declaring the action of the Respondents Nos.2 and 3 in not initiating action against Respondent No.4 illegal acts in demolishing petitioner old house No.4-48 and striking boundary of Open land admeasuring 1564 Sq.Yrds or equivalent to 1307.66 Sq.Mtrs having plinth area 100.00 Sq.Feet of ACC sheets vide PTIN No.1041000089 vide New H.No.10-4-227/3 in Sy.No.32 situated at Lingoiguda village, Saroornagar, Ranga Reddy District is illegal, arbitrary, against to the principles of natural justice and consequently direct the respondent No.2 and 3 to consider the petitioner's complaints dated 13.02.2023 and take action on Respondent No.4 for his illegal high ended acts for demolishing petitioner old house No.4-48 and striking boundary of Open land admeasuring 1564 Sq.Yrds or equivalent to 1307.66 Sq.Mtrs having plinth area 100.00 Sq.Feet of ACC sheets vide PTIN No.1041000089 vide New H.No.10-4-227/3 in Sy.No.32 situated at Lingoiguda village, Saroornagar, Ranga Reddy District.

IA NO: 1 OF 2023

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 & 3 to consider the petitioner's complaints dated 13.02.2023 and take action on Respondent No.4 for his illegal high handed acts for demolishing petitioner old house No.4-48 and striking boundary of Open land admeasuring 1564 Sq.Yrds or equivalent to 1307.66 Sq.Mtrs having plinth area 100.00 Sq.Feet of ACC sheets vide PTIN No.1041000089 vide New H.No.10-4-227/3 in Sy.No.32 situated at Lingoiguda village, Saroornagar, Ranga Reddy District.

Counsel for the Petitioner: SRI PADALA PRAVIN KUMAR

Counsel for the Respondent No.1 to 3: ASST. GP FOR HOME

Counsel for the Respondent No.4: SRI D. JAGADISHWAR RAO

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.5645 of 2023

ORDER:

Petitioner is aggrieved by the action of the respondents No.2 and 3 in not initiating action on the complaint of the petitioner dated 13.02.2023 against the respondent No.4.

2. Heard learned counsel for the petitioner, learned Assistant Government Pleader for Home and Mr. D. Jagadishwar Rao, learned counsel appearing for the respondent No.4.

3. Learned Assistant Government Pleader for Home, based on the written instructions, submitted that the respondent No.4 lodged a complaint against the petitioner and FIR.No.667 of 2016 was registered for the offences under Sections 448, 427 read with Section 34 of the Indian Penal Code, 1860. The case is pending trial in CC.No.166 of 2017 before the concerned Court. Another complaint was lodged by the respondent No.4 against the petitioner based on which FIR.No.190 of 2018 was registered for the offences under Section 420 read with Section 34 IPC. The case is pending trial in CC.No.2495 of 2021 before the concerned Court. So far as the complaint of the petitioner dated 13.02.2023 is concerned, GD entry was made and preliminary enquiry is being conducted. During the course of preliminary enquiry, it was found that there

was a civil dispute between the petitioner and the respondent No.4. In this connection, notices under Section 91/160 of the Criminal Procedure Code, 1973, were issued to the petitioner on 02.03.2023 and 06.03.2023 asking the petitioner to produce relevant documents for the purpose of enquiry.

Recording the submissions of the learned Assistant Government Pleader for Home, the writ petition is disposed of. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

SD/-P.CH.NAGABHUSHAMBA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

- To,
1. The Principal Secretary, Home Department, The State of Telangana, Secretariat, Hyderabad.
 2. The Commissioner of Police, Rachakonda Commissionerate, Malkajgiri District, Telangana State.
 3. The Station House Officer, Saroornagar Police Station, Rachakonda Commissionerate, Malkajgiri District, Telangana State.
 4. One CC to SRI PADALA PRAVIN KUMAR, Advocate [OPUC]
 5. One CC to SRI D. JAGADISHWAR RAO, Advocate [OPUC]
 6. Two CCs to GP FOR HOME, High Court for the State of Telangana. [OUT]
 7. Two CD Copies

BN

BS

HIGH COURT

DATED:09/03/2023

ORDER

WP.No.5645 of 2023



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

(18)

MA
29/3/23