

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

WEDNESDAY, THE NINTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

**PRESENT
THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY**

WRIT PETITION NO: 20015 OF 2023

Between:

1. Smt. Bhagyalakshmi Rathore, W/o. Aravind Kumar, Age- 63 years, R/o. H.No. Plot No. 15, Progressive Colony.-1, Boinpally, Tirumalgiri, Manovikasnagar, Secunderabad, Hyderabad District.
2. Kiran Kumar Rathore, D/o. Aravind Kumar, Age- 40 years, Occ- House wife, R/o.H.No.Plot No.15, Progressive Colony-1, Boinpally, Tirumalgiri, Manovikasnagar, Secunderabad, Hyderabad District.

...PETITIONER/S

AND

1. State of Telangana, Rep., by its Principal Secretary, Home Department, Secretariat buildings, Hyderabad.
2. Superintendent of Police, Sangareddy, Sanga Reddy District.
3. The Dy. Commissioner of Police, -Sangareddy, Sanga Reddy District.
4. The Tahasildar, Ameenpur Mandal, Sanga Reddy District.
5. The Station House Officer, Ameenpur Police Station, Sanga Reddy District.
6. The Sub-Inspector of Police, Ameenpur Police Station, Sanga Reddy 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 grant an order, direction or Writ, more so in the nature of WRIT OF MANDAMUS declaring the action of the Respondent No. 05 and 06 in interfering into the peaceful possession and enjoyment of the Petitioners land in Sy.Nos. 1010/P for land admeasuring Ac.0.20 gts, Sy.No.1010/A/1/3 an extent to Ac 0.06 gts and Sy. No. 1007/p for an extent of land admeasuring Ac.1.14 gts, Situated at Ameenpur village and Mandal, Sanga Reddy District by harassing the Petitioners making Phone Calls repeatedly to come to the 5th Respondent P.S. to getting signatures of the Petitioners on the Fair Papers for settlement of the Property issue by forcibly which are still pending before the Hon'ble High Court vide CC. No. 165 of 2017, W.P. No. 17259 of 2017, CC. No. 798 of 2023, W.P. No.41225 of 2018 and connection with the Crime Nos. 313 and 314 of 2023 on the file of the 5th Respondent by threatening and interfering into the Civil disputes of the Petitioners Property without their authority of law by illegal, high handed and against the principles of natural justice and consequently direct the 05th and 06th respondents not to interfere with the same by conducting fair investigation

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. 05 and 06, not to interfere into Civil dispute of the Petitioners peaceful possession and enjoyment of the land in Sy.Nos. 1010/P for land admeasuring Ac.0.20 gts, Sy.No.1010/A/1/3 an extent to Ac 0.06 gts and Sy. No. 1007/p for an extent of land admeasuring Ac.0-1.14 gts, Situated at Ameenpur village and Mandal, Sanga Reddy District and to conduct the Fair investigation of the Crime Nos. 313 and 314 of 2023 on the file of the 5th Respondent

Counsel for the Petitioners : SRI VENKATESHWARLU DASARI

Counsel for the Respondent Nos.1 to 3, 5 & 6 : GP FOR HOME

Counsel for the Respondent No.5 : GP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE C. V. BHASKAR REDDY

WRIT PETITION No.20015 of 2023

ORDER:

The writ petition, under Article 226 of the Constitution of India, is filed by the petitioners, seeking the following relief:

"...to grant an order, direction or Writ more so in the nature of WRIT OF MANDAMUS declaring the action of the Respondent No.05 and 06 in interfering into the peaceful possession and enjoyment of the Petitioners land in Sy.Nos.1010/P for land admeasuring Ac.0.20 gts Sy.No.1010/A/1/3 an extent to Ac.0.06 gts and Sy.No.1007/p for an extent of land admeasuring Ac.1.14 gts situated at Ameenpur village and Mandal, Sanga Reddy District by harassing the Petitioners making Phone Calls repeatedly to come to the 5th Respondent P.S to getting signatures of the Petitioners on the Fair Papers for settlement of the Property issue by forcibly which are still pending before the Honble High Court vide C.C.No.165 of 2017 W.P.No.17259 of 2017 C.C.No.798 of 2023 W.P.No.41225 of 2018 and connection with the Crime Nos.313 and 314 of 2023 on the file of the 5th Respondent by threatening and interfering into the Civil disputes of the Petitioners Property without their authority of law by illegal high handed and against the principles of natural justice and consequently direct the 05th and 06th respondents not to interfere with the same by conducting fair investigation..."

2. It is the case of the petitioners that respondent Nos.5 and 6 are interfering with their peaceful possession and enjoyment of the lands in Sy.No.1010/P admeasuring Ac.0.20gts, Sy.No. 1010/A/1/3 admeasuring Ac.0.06gts and Sy.No.1007/p admeasuring Ac.0-1.14 gts, situated at Ameenpur village and Mandal, Sanga Reddy District, by calling them to the police station and forcing them to execute the documents in favour of real estate

business people. It is further case of the petitioners that as the lands in the vicinity of the Ameenpur has abnormally increased, the respondent Nos.5 and 6 hatched a plan with realtors to grab the properties of the petitioners. It is further case of the petitioners that earlier the petitioner No.1 filed W.P.No.27365 of 2011 seeking a direction to mutate her name in the revenue records in respect of the said property. This Court vide order dated 29.06.2016 directed the authorities concerned to mutate the name of the petitioner No.1 in the revenue records. The petitioner No.1 also filed Contempt Case vide C.C.No.165 of 2017 against the respondent No.4 and the same is pending for adjudication. It is further case of the petitioners that petitioner No.1 has lodged a complaint against one Smt.Susheela and her son when they trespassed into their lands. Acting on the said complaint submitted by the petitioner No.1, a case in Crime No.313/2023 dated 07.07.2023 was registered for the offences under Sections 447, 427, 323, 504, 506 r/w 34 IPC and the same is pending for investigation. On the same issue, as a counterblast the accused in Crime No.313/2023 filed a complaint against the petitioners and the police registered a case in Crime No.314/2023 against the petitioners. At the instance of accused in Crime No.313/2023, the

police are forcing the petitioners to enter into a settlement and also to sign on white papers for withdrawal of the said case.

3. The learned Assistant Government Pleader for Home appearing for respondent Nos.1, 2, 3, 5 and 6 has submitted that police are not interfering with the civil rights of the petitioner in any manner. In fact, acting on the complaints submitted by the petitioners as well as Smt. Susheela and her son, the police registered cases in Crime Nos.313 and 314 of 2023 and are conducting investigation in the said crimes.

4. In view of the above submissions, this Court deems it appropriate to direct the respondent Nos.5 and 6 not to interfere with the civil rights of the petitioners, in any manner or force the petitioners to sign any documents either for withdrawal of the cases or to settle the disputes over the aforesaid lands claimed by the petitioners.

5. With the above directions, this Writ Petition is disposed of.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed. No order as to costs.

//TRUE COPY//

SD/-V.KAVITHA
ASSISTANT REGISTRAR
SECTION OFFICER

To

1. The Principal Secretary, Home Department, Secretariat buildings, State of Telangana, Hyderabad.

2. The Superintendent of Police, Sangareddy, Sanga Reddy District.
3. The Dy. Commissioner of Police, -Sangareddy, Sanga Reddy District.
4. The Tahasildar, Ameenpur Mandal, Sanga Reddy District.
5. The Station House Officer, Ameenpur Police Station, Sanga Reddy District.
6. The Sub-Inspector of Police, Ameenpur Police Station, Sanga Reddy District.
7. One CC to Sri Venkateshwarlu Dasari, Advocate [OPUC]
8. Two CCs to GP for Home, High Court for the State of Telangana at Hyderabad [OUT]
9. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad (OUT)
10. Two CD Copies

Kj.
GJP

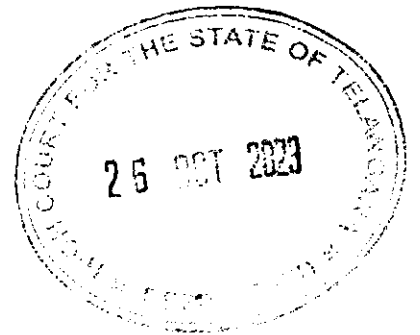


HIGH COURT

DATED:09/08/2023

ORDER

WP.No.20015 of 2023



DISPOSING OF THE WP WITHOUT COSTS.

(14)

MBL
10/10