

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

**WEDNESDAY, THE TWENTY THIRD DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 23222 OF 2023

Between

1. Buram Hanmanthu, S/o. Late. Thulsaiah, Aged about 65 years, Occ. Agriculture
2. Buram Laxmamma, W/o. Late. B. Chandraiah, Aged about 47 years, Occ. Agriculture
3. Buram Thulsiram, S/o. Late. B. Chandraiah, Aged about 30 years, Occ. Agriculture
4. Buram Anjaneyulu, S/o. Late. B. Chandraiah, Aged about 28 years, Occ. Agriculture
5. Buram Mansamma, W/o. Ramanna, Aged about 68 years, Occ. Agriculture
6. Buram Jangamma, W/o. Venkataiah, Aged about 59 years, Occ. Agriculture

All are R/o. Valloor Village of Jadcherla Mandal, Mahabubnagar District.

...PETITIONERS

AND

1. The Govt. of Telangana,, Rep. by its Principal Secretary (Home), Hyderabad.
2. The Superintendent of Police ,, Mahabubnagar District,
3. The Station House Officer,, Jadcherla Police Station, Mahabubnagar District
4. Gopal Reddy, S/o. Anjaneyulu Reddy, Aged about 55 years, Occ. Agriculture, R/o. Peddapallyt Village, Jadcherla Mandal, Mahabubnagar.
5. Mohammed Adil, S/o., Mohd. Shamshuddin, Aged bout 39 years, Occ. Business, R/o. H. No.5-10, X road, Jadcherla Village and Mandal, Mahabubnagar District.
6. Javeed Aslam, S/o. Aslam A. gaffer, Aged about 37 years Occ. Business, R/o. H. No. 22-7-514 to 516, Purani Haveli Road, 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, order or direction more in the nature of Writ of Mandamus directing the Respondent No.3 not to harass nor interfere in the Civil Disputes preventing the Petitioners from cultivating there agriculture lands in Sy. No. 75 extent ac 5.13 gts., Sy. No. 151 extent Ac 13.37 gts., Sy. No. 152 extent Ac 15.09 gts., Sy. No. 153 extent Ac 13.36 gts., and Sy. No. 154 extent Ac 12.14 gts. and in total Ac. 60.29 gts. situated at Valloor Village of Jadcherla Mandal, Mahabubnagar 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 be pleased to Direct the Respondent No.3 not to harass nor interfere in civil disputes, preventing the Petitioner from cultivating there agriculture lands in Sy. No. 75 extent ac 5.13 gts., Sy. No. 151 extent Ac 13.37 gts., Sy. No. 152 extent Ac 15.09 gts., Sy. No. 153 extent Ac 13.36 gts., and Sy. No. 154 extent Ac 12.14 gts. and in total Ac. 60.29 gts. situated at Valloor Village of Jadcherla Mandal, Mahabubnagar District.

Counsel for the Petitioners : SRI. M V RAJ KUMAR GABRIEL

Counsel for the Respondent Nos. 1 to 3 : AGP FOR HOME

Counsel for the Respondent Nos.4 to 6 : NONE APPEARED

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE C.V.BHASKAR REDDY

WRIT PETITION No.23222 OF 2023

ORDER:

The writ petition is filed seeking following relief:

“...pleased to issue a writ, order or direction more in the nature of Writ of Mandamus directing the Respondent No. 3 not to harass nor interfere in the Civil Disputes preventing the Petitioners from cultivating there agriculture lands in Sy. No. 75 extent Ac. 5-13 gts, Sy. No. 151 extent Ac. 13-37 gts Sy. No. 152 extent Ac. 5-09 gts, Sy. No. 153 extent Ac. 13-36 gts and Sy. No. 154 extent Ac. 12-14 gts and in total Ac. 60-29 gts situated at Valloor Village of Jadcherla Mandal, Mahabubnagar District ...”

2. It is the case of the petitioners that they are the absolute owners and possessors of agricultural land admeasuring Ac.5-13 gts in Sy.No.75, Ac.13-37 gts in Sy.No.151, Ac.15-09 gts in Sy.No.152, Ac.13-36 gts in Sy.No.153, Ac.12-14 gts in Sy.No.154 in total admeasuring Ac.60-29 gts situated at Valloor Village of Jadcherla Mandal, Mahabubnagar District. While the things stood thus, when there are disputes with the co-sharers of the said property, the petitioners were constrained to file a suit in O.S.No.66 of 2016 on the file of the Principal District Judge, Mahabubnagar for partition and separate possession in respect of the above referred property. The grievance of the petitioners is that during the pendency of the said suit, at the instigation of

respondent Nos.4 to 6, who are the defendants in O.S.No.66 of 2016, the respondents-Police are summoning the petitioners to the police station and forcing them to settle the disputes with respondent Nos.4 to 6.

3. Learned counsel for the petitioners submits that the respondents-Police do not have any power or authority to confine the petitioners nor to threaten them to settle the disputes with respondent Nos.4 to 6.

4. Learned Assistant Government Pleader for Home appearing for respondent Nos.1 to 3 submits that basing on the complaint filed against the petitioners, the respondents-Police have conducted the investigation and as the said complaint revealed serious disputes over the subject property, the same was closed as "civil in nature". Learned Assistant Government Pleader further submits that the petitioners were summoned to the police station for the purpose of investigation, and the respondents-Police are not interfering with the civil disputes between the petitioners and respondent Nos.4 to 6 in any manner.

5. In view of the said submissions, this Court deems it appropriate to dispose of the writ petition directing respondent No.3 not to interfere with the civil disputes between the petitioners and respondent Nos.5 and 6 in any manner, except in accordance with law. However, if the presence of either of the parties is required for the purpose of investigation, the respondents-Police are directed to follow the due procedure.

6. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel thereto, miscellaneous applications, if any, shall stand closed.

**SD/- A.V.S.PRASAD
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary (Home), Govt. of Telangana, Hyderabad.
2. The Superintendent of Police, Mahabubnagar District,
3. The Station House Officer, Jadcherla Police Station, Mahabubnagar District
4. One CC to SRI. M V RAJ KUMAR GABRIEL, Advocate.[OPUC]
5. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad. [OUT]
6. Two CD Copies

SB

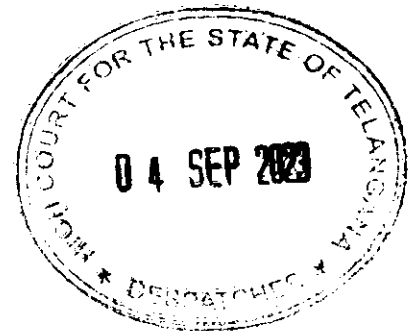
BSR 

HIGH COURT

DATED:23/08/2023

ORDER

WP.No.23222 of 2023



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.**

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21/9/23