

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

FRIDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 26458 OF 2023

Between:

1. Sri Guduru Balaji Rao, S/o Guduru Ramakrishna Rao, Aged about 33 years, Occ. Private Employee, R/o H.No.1-1-622/143P & 144NP, Ground Floor, Road No.6, CTO Colony, Mohan Nagar Kothapet, Hyderabad- 500035.
2. Guduru Laxmipathi, S/o Late Guduru Ramakrishna, Age. 60 years, Occ. Business, R/o H.No.18-12/A, Mallela Vari Street, Jawaharpet, Akuvidu Post, West Godavari, Andhra Pradesh- 534235
3. Smt. Guduru Pullamma, W/o Late Guduru Ramakrishna, Aged about 75 years, Occ. Household, R/o H.No.18-12/A, Mallela Vari Street, Jawaharpet, Akuvidu Post, West Godavari, Andhra Pradesh- 534235

...PETITIONERS

AND

1. The State of Telangana., Rep. by Principal Secretary, Home Department, Secretariat, Hyderabad.
2. The Commissioner of Police GHMC, CC Complex, Tank Bund Road, Lower Tank bund, Hyderabad- 500063.
3. The Station House Officer, Rajendranagar, Cyberabad, Ranga Reddy District, Telangana -500030.
4. Smt. Malladi Mrudula, W/o Guduru Balaji Rao, Aged about 36 years, Occ. Advocate and Real Estate consultant, R/o. H.No. 3-4-185, Beside Santhosi Matha Enclave, Road No.8, Shiridi Sai Baba Colony, Banglaguda Jagir, Hyderabad, Telagana-500086

...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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in particular Respondent No.3 for the unauthorized interference in family matter and intentionally harassing the petitioner by calling him to the Police Station in the guise of settling the issues as illegal, arbitrary, violation of Article 14 and 21 of The Constitution of India and against the principles of natural justice and consequently

direct the respondents No.3 not to call the petitioners without following due process of law.

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 pass orders directing the Respondent No. 3 not to insist on the presence of the petitioners herein without following due process of law, pending disposal of the main Writ petition.

Counsel for the Petitioners: SRI VOOSA RAGHU
Counsel for the Respondent Nos.1 TO 3: GP FOR HOME
Counsel for the Respondent No.4: --

The Court made the following: ORDER

HON'BLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION No.26458 of 2023

ORDER:

This writ petition is filed seeking the following relief:-

“...to issue an appropriate Writ, Order or Direction, more particularly one in the nature of writ of mandamus declaring the action of the respondents in particular respondent No.3 for the unauthorised interference in family matter and intentionally harassing the petitioner by calling him to the Police Station in the guise of settling the issued as illegal, arbitrary, violation of Articles 14 and 21 of the Constitution of India and against the principles of natural justice...”

2. Petitioner No.1 is the husband of respondent No.4. The marriage of petitioner No.1 was performed with respondent No.4 on 22.06.2022 as per Hindu Rites and Customs. Soon after the marriage disputes arose between petitioners' family and respondent No.4 which lead to lodging of a complaint by respondent No.4 and acting on the complaint submitted by respondent No.4, the respondents-police have registered a case in Crime No.473 of 2023 for the offences punishable under Sections 498-A of

I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961 and after completing investigation a charge sheet also filed before the XI Additional Metropolitan Magistrate, Rajendra Nagar and the said Court also taken cognizance in C.C.No.1757 of 2023 and the said case is pending for trial.

3. Learned counsel for the petitioners has vehemently contended that, pending trial of the said case at the instance of respondent No.4, respondent No.3 is frequently summoning the petitioners to the police station and forcing them to execute the documents to the satisfaction of respondent No.4 for parting the property which stands in the name of the petitioner. It is further submitted that the respondents-police are not having any power or authority to intervene into the civil disputes pending between the petitioners and respondent No.4 since they have already filed a charge sheet against the petitioners and they are not supposed to even summon the petitioners to the police station for any purpose.

4. 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 matrimonial disputes pending between the petitioners and respondent No.4 in any manner and if the presence of the petitioners is required for any purpose, respondent No.3 shall follow due procedure in law.

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

6. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

SD/- K. VENKAIAH
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To

1. The Principal Secretary, Home Department, Secretariat, Hyderabad, State of Telangana.
2. The Commissioner of Police GHMC, CC Complex, Tank Bund Road, Lower Tank bund, Hyderabad- 500063.
3. The Station House Officer, Rajendranagar, Cyberabad, Ranga Reddy District, Telangana -500030.
4. One CC to SRI VOOSA RAGHU, Advocate [OPUC]
5. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad. [OUT]
6. Two CD Copies

PSK.
GJP

Pme.

HIGH COURT

DATED:22/09/2023

ORDER

WP.No.26458 of 2023



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

Qpmc,
11/10/23