

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

**THURSDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 33142 OF 2023

Between:

1. Shesham Vasu, S/o S.Venkataiah, Aged about 49 years, Occ. Business, R/o H.No.B3, 106, HIG, Sampoonam Apartments, XV Phase, KPHB, Hyderabad, Medchal- Malkajgiri District.
2. Guntupalli Aswardha Rama Rao, S/o Guntupalli Butcheshwar, Aged about 61 years, Occ. Business, R/o H.No.8-3-1063/A/50/1, Jyothi palace, Srinagar colony, Ameerpet, Hyderabad.

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Dr.B.R.Ambedkar Secretariat, Khairatabad, Hyderabad, T.S.
2. The Station House Officer, P.S.Mokila Cyberabad Commissionerate, R.R. 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 an appropriate Writ, Order or Direction more particularly one in the Nature of Writ of Mandamus by calling for the records from the Respondent No.2 by declaring the inaction of the Respondent No.2 as illegal, contrary and unconstitutional, and consequently directing the Respondent No.2 to register the FIR and take action against the said person Jangareddy from attacking the Petitioners and further to direct the Respondent no.2 to aid the police protection to my land.

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 to consider the complaint dated 14/08/2023 by registering the FIR to the aid of police protection to the Petitioners land and from attacking the Petitioners.

Counsel for the Petitioners : Dr.P NAGESH

Counsel for the Respondents: ASST. GP FOR HOME

The Court made the following: ORDER

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.33142 OF 2023

ORDER: (ORAL)

Heard learned counsel for the petitioners and learned Assistant Government Pleader for Home, and perused the material available on record.

2. It is stated that petitioner No.1 is the absolute owner and possessor of agricultural land admeasuring Ac.0-0500 Guntas in Survey No.154/A1 situated at Mokila Village, Shankarpally Mandal, Ranga Reddy District, and petitioner No.2 is the owner of total extent of Ac.0-0500 Guntas in Survey Nos.154/AA 1/3, 154/AA 1/2 and 154/AA 1/1 of the same Mokila Village, Shankarpally Mandal, Ranga Reddy District. The petitioners were issued pattadar passbook-cum-title deeds. They acquired title to the property by virtue of the sale deeds bearing document Nos.3071 of 2021 and 3072 of 2021 dated 12.08.2021 from the previous owners Sreeram Srinivas and Habesshe Laxminarayana. That all of a sudden, on 14.08.2023, a stranger by name Janga Reddy along with his associates trespassed into the lands of the petitioners with criminal intention and damaged their property. The petitioners approached respondent No.2 Police Station and lodged a complaint on 14.08.2023, however the police so far have not initiated any action. It is also stated that the watchman of the

petitioners was mercilessly beaten by the said culprits, however police did not take prompt action in registering the First Information Report.

3. Learned Assistant Government Pleader for Home placed on record the written instructions dated 06.12.2023 issued by the Sub-Inspector of Police, Mokila Police Station, and submitted that GD entry was made on 14.08.2023 on receipt of the complaint from the petitioners. The enquiry revealed that the dispute between the petitioners and Mytri Construction Developers is related to the land dispute and it is purely civil in nature. The complaint of the petitioners was closed as 'civil in nature'. A copy of the written instructions along with closure report is served on the learned counsel for the petitioners.

4. In view of the above, no further orders are required to be passed and the writ petition is accordingly closed. However, the petitioners are given liberty to avail appropriate legal remedies if aggrieved by the closure report. No order as to costs.

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

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

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Dr.P.NAGESH, Advocate. [OPUC]
2. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad. [OUT]
3. Two CD Copies.

BSK
LS

HIGH COURT

DATED:07/12/2023



ORDER

WP.No.33142 of 2023

**CLOSING THE WRIT PETITION
WITHOUT COSTS**

6 copies

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20/12/23