

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

**TUESDAY, THE TWENTIETH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 4362 OF 2024

Between:

Kodali Gowthama Siddardhudu, S/o. late K.Mallikarjuna Rao, aged about 64 years, Occ.Business, R/o. H.No.8-2-293/82/F/C/2, Film Nagar, Hyderabad.

...PETITIONER

AND

1. State of Telangana, rep. by its Principal Secretary, Home Department, Secretariat, Hyderabad.
2. The Commissioner of Police, Rachakonda Commissionerate, R.R.District.
3. The Assistant Commissioner of Police, Maheshwaram, Rachakonda, R.R.District.
4. The Station House Officer, Maheshwaram Police Station, Rachakonda, R.R.District.
5. The Tahsildar, Maheshwaram Mandal, Ranga 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 issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents particularly the 4th respondent herein and his subordinates in calling the petitioner to the police station, directly interfering with peaceful possession and enjoyment of the petitioner over subject land, asking to get original documents and threatening the petitioner with dire consequences of implicating in false criminal cases, on the oral instructions and instigation of the officials of 5th respondent, is illegal, arbitrary, unjust, unconstitutional and in violation of principles of natural justice, and also violative of Article 14, 21 and 300-A of Constitution of India, and consequently direct the respondents not to interfere into civil disputes more

particularly with the peaceful possession and enjoyment of the petitioner over land bearing Sy.125/U admeasuring Ac.1-17 Gts., situated at Toopra Khurd Village, Maheshwaram Mandal, Ranga Reddy District.

IA NO: 1 OF 2024

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 respondents and their subordinates not to interfere into civil disputes more particularly with peaceful possession and enjoyment of the petitioner over land bearing Sy.125/U admeasuring Ac.1-17 Gts., situated at Toopra Khurd Village, Maheshwaram Mandal, Ranga Reddy District, pending disposal of the writ petition.

Counsel for the Petitioner: SRI MOHD MOIN AHMED QUADRI

Counsel for the Respondent No.1 to 4: AGP FOR HOME

Counsel for the Respondent No.5: GP FOR REVENUE

The Court made the following: ORDER

HON'BLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION No.4362 of 2024

ORDER:

This writ petition is filed seeking the following relief:-

“...to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents particularly respondent No.4 herein and his subordinates in calling the petitioner to the police station directly interfering with peaceful possession and enjoyment of the petitioner over subject land asking to get original documents and threatening the petitioner with dire consequences of implicating in false criminal cases on the oral instructions and instigation of the officials respondent No.5 is illegal, arbitrary, unjust, unconstitutional and in violation of principles of natural justice and also violative of Articles 14, 21 and 300A of Constitution of India and consequently direct the respondents not to interfere into civil disputes more particularly with the peaceful possession and enjoyment of the petitioner over land bearing Sy.No.125/U admeasuring Ac.1.17 guntas situated at Toopra Khurd Village, Maheshwaram Mandal, Ranga Reddy District...”

2. The petitioner claims to be the pattadar and possessor of the land admeasuring Ac.1.17 guntas in Sy.No.125/U situated at Toopra Khurd Village, Maheshwaram Mandal, Ranga Reddy District, having purchased the same through registered sale deed bearing document No.2285 of 2022, dated 12.07.2022. It is the further case of the petitioner that the revenue authorities also issued e-pattadar pass book No.T05160071062 and his name is also recorded as pattadar in all the revenue records including Darani Portal maintained by the revenue department. The grievance of the petitioner in this writ petition is that at the instigation of adjacent land owners, who are disputing his right and title over the subject land, respondent No.4 is frequently interfering with his possession and causing inconvenience for his enjoyment of the subject property.

3. Learned counsel for the petitioner has vehemently contended that respondent No.4 is not having any power or authority to interfere with the civil rights of the petitioner in any manner.

4. This Court, without expressing any opinion on the rights of the petitioner over the property claimed in this writ petition, disposed of this writ petition directing respondent No.4 not to interfere with the civil rights of the petitioner over the land admeasuring Ac.1.17 guntas in Sy.No.125/U situated at Toopra Khurd Village, Maheshwaram Mandal, Ranga Reddy District, without following due procedure as contemplated in law.

5. With the above observations, 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/- T.JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Home Department, Secretariat, Hyderabad, State of Telangana.
2. The Commissioner of Police, Rachakonda Commissionerate, R.R.District.
3. The Assistant Commissioner of Police, Maheshwaram, Rachakonda, R.R.District.
4. The Station House Officer, Maheshwaram Police Station, Rachakonda, R.R.District.
5. The Tahsildar, Maheshwaram Mandal, Ranga Reddy District.
6. One CC to SRI MOHD MOIN AHMED QUADRI, Advocate [OPUC]
7. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad [OUT]
8. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT]

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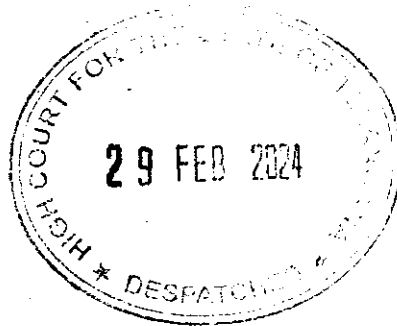
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RSR

HIGH COURT

DATED: 20/02/2024

ORDER

WP.No.4362 of 2024



DISPOSING OF THE WRIT PETITION,
WITHOUT COSTS

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