
(2021) 05 TEL CK 0009
In the Telangana High Court
Case No : Writ Petition No. 12263 Of 2021

N. Sivayogiswari	Vs	APPELLANT
State Of Telangana		RESPONDENT

Date of Decision : 06-05-2021

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2021) 05 TEL CK 0009

Hon'ble Judges : T. Vinod Kumar, J

Bench : Single Bench

Advocate : K. Buchi Babu

Final Decision : Disposed Of

Judgement

1. The present writ petition is filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus to declare the action of respondent

authorities, more particularly respondent Nos.6 & 7, in threatening the petitioner by calling the Police Station on 30.04.2021 and 01.05.2021 and

compelling the petitioner to settle the civil dispute with the 8th respondent in respect of the Plot No.482 admeasuring 200 square yards situated in

Survey Nos.33/8, 33/9, 33/10 and 33/11 at Venkatadrinagar, Jeedimetla Village, Quthbullapur Mandal, Medchal-Malkajgiri District, as being illegal,

unconstitutional, with a consequential direction to the respondent Nos.6 & 7 not to harass/threaten the petitioner by interfering with the civil dispute in

respect of the above said plot. [[

2. Heard Sri K. Buchi Babu, learned counsel for the petitioner and the learned Assistant Government Pleader for Home appearing for the respondent

Nos.1 to 5.

3. With the consent of both the parties, the matter is taken up for hearing and is being disposed of at the admission stage.

4. It is the contention of the petitioner that the petitioner's father was owner of 24 acres of land in Survey Nos.33/8, 33/9, 33/10 and 33/11 at

Venkatadrinagar, Jeedimetla Village, Quthbullapur Mandal, Medchal-Malkajgiri District and during the life time of her father, the said land was

bequeathed through a registered Will Deed to her husband and after the demise of her husband, the petitioner along with her two sons became

absolute owner to the said property. While the above being the factual position, the 8th respondent claiming to be the purchaser of a plot admeasuring

200 Sy.Yds is seeking to interfere with the possession of the petitioners, and the respondent Nos.6 & 7, who are the officials of the Police

Department, are cooperating with the 8th respondent, by calling the petitioner to Police Station and coercing to transfer the said plot in favour of the

8th respondent, thereby interfering into the civil disputes.

5. The learned Assistant Government Pleader for Home, on instructions, would submit that on 18.04.2021 the 8th respondent in the present writ

petition lodged a complaint with the 5th respondent authority stating that in respect of Plot No.482 the complainant had filed a civil suit being

O.S.No.66 of 2020 and the same was decreed in his favour on 11.02.2021 and thus, he became the absolute owner of the said plot and one Sri

Ramanaidu and his henchmen tried to trespass into the said land and sought for registering a case and to take necessary action. The learned Assistant

Government Pleader for Home would further submit that upon receiving the complaint from the 8th respondent and on going through the contents of

the said complaint, the 5th respondent authority in order to cause enquiry, called the petitioner and upon conducting preliminary enquiry came to know

that the present dispute is civil in nature and accordingly closed the complaint. The learned Assistant Government Pleader for Home would further

submit that except for the purpose of causing preliminary enquiry, the 5th respondent authority never interfered in the civil dispute nor coercing the petitioner to effect transfer of the said plot in favour of the 8th respondent.

6. Placing on record the above said submission made on behalf of the 5th respondent authority, no further orders are necessary in the writ petition.

7. Subject to the above, the writ petition is closed. No order as to costs.

Miscellaneous petitions, if any, pending in this writ petition, shall stand closed.