

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.1153 OF 2022

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner, wherein the following prayer is made:

“... to issue a Writ, or Order, or Direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents 3 and 4 more particularly respondent No.4 in summoning the petitioner to the office of the 4th respondent without there being any case registered against the petitioner and coercing the petitioner to deliver the house property of the petitioner bearing H.No.12-7-133/83/2A in Sy.No.645 admeasuring 750 sq. yards situated at Habeeb Nagar, Kukatpally Village, Balanagar Mandal, Ranga Reddy District in favour of the respondents 5 to 7 without following due process of law as illegal, arbitrary and in violation of Articles 14, 21 and 300-A of the Constitution of India apart from being violation of principles of natural justice and consequently direct the respondents 3 and 4 not to interfere into peaceful life, liberty and possession of the petitioner's house property bearing H.No. 12-7-133/83/2A in Sy.No.645 admeasuring 750 sq. yards situated at Habeeb Nagar, Kukatpally Village, Balanagar Mandal, Ranga Reddy District and be pleased to pass such other order or orders ...”

2. Heard the learned counsel for the petitioner, learned Assistant Government Pleader for Home appearing for respondent Nos.1 to 4 and perused the record.

3. Learned counsel for the petitioner would submit that the petitioner is in possession of house property bearing H.No.12-7-133/83/2A in Survey No.645, admeasuring 750 Square Yards, situated at Habeeb Nagar, Kukatpally Village, Balanagar Mandal, Ranga Reddy District, by virtue of Absolute Sale Deed, dated 26.12.2005, executed by respondent Nos.5 and 6 in favour of

the petitioner, which was duly notarised. In spite of the same, the respondent-police having no manner of right whatsoever and without there being commission of any crime by the petitioner, are calling the petitioner to the police station and making him to sit in the police station.

4. In view of the submissions made by the learned counsel for the petitioner and the material placed on record, the respondent-police shall not take any coercive steps against the petitioner, including calling the petitioner to the police station, in relation to the subject property. If there is any breach of law/commission of cognizable offence by the petitioner, the police concerned is entitled to take action in accordance with law.

5. With the above observations/directions, the Writ Petition is disposed of.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

Date: 07.01.2022
MD

Dr. SHAMEEM AKTHER, J