

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THURSDAY, THE TWENTY SECOND DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

**THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY
WRIT PETITION NO: 4676 OF 2024**

Between:

Chandrabhushan Chettu, S/o. Manmadha Rao.

Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Department Secretariat Buildings, Hyderabad.
2. The Commissioner Of Police, Rachakonda Commissionerate, Malkajgiri, MedchalMalkajgiri District.
3. The Station House Officer, Medipalli P.S. Medipalli MedchalMalkajgiri District.
4. Sumathi Badugula, W/o. Not Known. Occ. DIG Women Safety Wing Lakdikapool, Hyderabad

Respondents

WHEREAS the Petitioner above named through his Advocate Sri Ambedkar Dunna presented this 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 No.3 and 4 in interfering / dispossessing the petitioner from the plot No. 65, in Sy No. 78 part, admeasuring 236 Sq Yards, situated at Boduppall Village under Boduppall Municipal Corporation Medipally Mandal, Medchal Malkajgiri District is illegal, arbitrary, unconstitutional, violation of the fundamental right guaranteed under the Constitution of India and without jurisdiction and consequently direct the Respondents No. 3 and 4 not to interfere / dispossess the petitioner from the above said plot;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri AMBEDKAR DUNNA Advocate for the Petitioner and GP for Home for respondent Nos.1 to 3, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Home Department, State of Telangana, Secretariat Buildings, Hyderabad.
2. The Commissioner Of Police, Rachakonda Commissionerate, Malkajgiri, MedchalMalkajgiri District.
3. The Station House Officer, Medipalli P.S. Medipalli MedchalMalkajgiri District.
4. Sumathi Badugula, W/o. Not Known. Occ. DIG Women Safety Wing Lakdikapool, Hyderabad

are directed to show cause on or before 21.03.2024 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

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 No. 3 and 4 not to interfere / dispossess the petitioner from plot No. 65, in Sy No. 78 part, admeasuring 236 Sq Yards, situated at Boduppall Village under Boduppall Municipal Corporation Medipally Mandal, Medchal Malkajgiri District calling the petitioner to the 3rd respondent police station, pending disposal of WP No. 4676 of 2024, on the file of the High Court.

The Court made the following:

ORDER:

Notice before admission.

Learned Assistant Government Pleader for Home takes notice for respondent Nos.1 to 3 and seeks time to get instructions.

Learned counsel for the petitioner is permitted to take out personal notice to respondent No.4 by Registered Post with Acknowledgment Due and file proof of service before the next date of listing.

It is the case of the petitioner that he is receiving calls from mobile No.99858 02438 introducing as Sumathi, D.I.G. and threatening him to vacate the plot No.65 admeasuring 236 square yards situated in Sy.No.78 Part of Boduppall Village, Medipally Mandal, Medchal-Malkajgiri District, which was purchased by him through registered sale deed bearing document No.19274 of 2023, dated 10.11.2023. Serious allegations have been made against respondent No.4, who is none other than the D.I.G. of Law Enforcement Agency. It is settled law that as a law enforcement agency, the police force shoulders the vital responsibility of preserving public order, guarding social harmony, and upholding the foundations of justice. In the present case, the allegations made by the petitioner against respondent No.4, who is none other than the D.I.G., is interfering with the civil disputes that too without registration of crime and without following the guidelines issued by the Hon'ble Apex Court in *Arnesh Kumar Vs. State of Bihar*¹.

In the said circumstances, respondent No.1 is directed to file counter-affidavit by the next date of listing.

List on 21.03.2024.

Meanwhile, there shall be interim direction to the respondents-police not to interfere or dispossess the petitioner from the subject property i.e., plot No.65

¹(2014) 8 SCC 273

admeasuring 236 square yards situated in Sy.No.78 Part of Boduppal Village,
Medipally Mandal, Medchal-Malkajgiri District.

SD/- V. KAVITHA
ASSISTANT REGISTRAR 2

//TRUE COPY//

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SECTION OFFICER

To,

1. The Principal Secretary, Home Department, State of Telangana, Secretariat Buildings, Hyderabad.
2. The Commissioner of Police, Rachakonda Commissionerate, Malkajgiri, MedchalMalkajgiri District.
3. The Station House Officer, Medipalli P.S. Medipalli MedchalMalkajgiri District.
4. Sumathi Badugula, W/o. Not Known. Occ. DIG Women Safety Wing Lakdikapool, Hyderabad (1 to 4 by RPAD- along with a copy of petition and Affidavit)
5. One CC to SRI. AMBEDKAR DUNNA Advocate [OPUC]
6. Two CCs to GP FOR HOME ,High Court at Hyderabad. [OUT]
7. One spare copy

HIGH COURT

CVBRJ

DATED:22/02/2024

LIST ON 21.03.2024.

NOTICE BEFORE ADMISSION

WP.No.4676 of 2024

INTERIM DIRECTION

