

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD**

TUESDAY ,THE TWENTY THIRD DAY OF APRIL

TWO THOUSAND AND TWENTY FOUR

**:PRESENT:**

**THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY**

**WRIT PETITION NO: 8829 OF 2024**

**Between:**

1. Murthysetty Gopi Krishna, s/o Murthysetty Venkateswara Rao
2. N.R.G.Gopal Reddy, s/o N.Ram Reddy
3. K.Rajasekhar, S/o K.Mohan Rao.
4. A.D. Bhagya Rekha, W/o Murali Raj Kamal

**Petitioners**

**AND**

1. The State of Telangana, rep. By its Principal Secretary, Home Department Secretariat, Hyderabad.
2. The Superintendent of Police, Sangareddy District.
3. The Station House Officer, Patancheru Police Station, Sangareddy District.
4. B.Vincent, S/o not known to the Petitioners, aged major, occ.Not Known r/o Beside Donboşco School Main Road, Bandlaguda Jagir-J Gandipet Mandal, 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, to declare the action of the 3rd respondent in calling the petitioners to the police station at the behest of the 4th respondent and threatening to settle the lands purchased by them situated at Rameshwars Banda village, Patancheru Mandal, Sangareddy District, through different registered Sale Deeds and thereby causing interference in the civil disputes, as being illegal, arbitrary, unjust, unconstitutional and colourable exercise of powers and consequently direct the 3rd respondent to desist from interfering in the civil matters, and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.

**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 respondent No.3 herein not to call the petitioners to the police station or in any manner interfere in the civil disputes including their personal life and liberty, Pending disposal of WP 8829 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri SARDAR JASBEER SINGH Advocate for the Petitioners, GP FOR HOME for the Respondent Nos 1 to 3 and the Court made the following.

## ORDER

Heard Mr. Sardar Jasbeer Singh, learned counsel for the petitioners, Mr. C. Naresh Reddy, learned counsel for the respondent No.4 and learned Assistant Government Pleader for Home.

There shall be interim direction to respondent No.3 not to interfere with the personal liberty of the petitioners without following due process of law. The respondent No.3 is directed to conduct investigation in FIR.No.289 of 2024 of Patancheru Police Station by complying with the procedure contemplated under Section 41-A of the Criminal Procedure Code, 1973 and the guidelines issued by the Supreme Court in ARNESH KUMAR v. STATE OF BIHAR ((2014) 8 SCC 273}. However, the direction issued to the respondent No.3 not to interfere with the personal liberty of the petitioners shall not have any bearing on the disputes with regard to title and possession between the petitioner and the respondent No.4.

At this juncture, learned counsel for the respondent No.4 submitted that there is every chance of the order of this Court being misconstrued by the respondent No.3 and it may be clarified that this order would not come in the way of the respondent No.4 in lodging complaints if any offence is committed by the petitioners or third parties and that it would be difficult for the respondent No.4 to protect his land, which has been purchased for establishing an orphanage.

In the light of the above submissions, it is made clear that the aforesaid direction shall not preclude the respondent No.4 to take appropriate action, if any acts/offences are committed by the petitioners or third party in connection with the subject land.

List on 03.05.2024.

SD/-V.KAVITHA  
ASSISTANT REGISTRAR

//TRUE COPY//

  
SECTION OFFICER

To,

1. The Principal Secretary, Home Department Secretariat, State of Telangana, Hyderabad.
2. The Superintendent of Police, Sangareddy District.
3. The Station House Officer, Patancheru Police Station, Sangareddy District.
4. B.Vincent, S/o not known to the Petitioners, aged major, occ.Not Known r/o Beside Donbosco School Main Road, Bandlaguda Jagir-J Gandipet Mandal, R.R.District  
(FOR 1 TO 4 by RPAD)
5. One CC to SRI. SARDAR JASBEER SINGH Advocate [OPUC]
6. Two CCs to GP FOR HOME ,High Court at Hyderabad. [OUT]
7. One spare copy

**HIGH COURT**

**BVRJ**

**DATED:23/04/2024**

**LIST ON 03.05.2024**



**ORDER**

**WP.No.8829 of 2024**

**INTERIM DIRECTION**