

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

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

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

WRIT PETITION NO: 12260 OF 2024

Between:

1. Md.Rajmohammad, S/o.Late Lalmohammad, Occ. Daily Labour R/o. Polampally, V/o.Thimmapur Mandal Karimnagar District, Telangana State.
2. Md.Rafi, S/o.Md.Rajmohammad, Occ. Labourer R/o.Polampally, V/o. Thimmapur Mandal Karimnagar District, Telangana State.

Petitioners

AND

1. The State of Telangana, Rep. by its Principal Secretary Home Department, Secretariat, Hyderabad.
2. The Director General of Police, Government of Telangana State, Lakdikapool, Hyderabad.
3. The Commissioner of Police, Karimnagar, Karimnagar District.
4. The Assistant Commissioner of Police, Karimnagar Rural Karimnagar District.
5. The Station House Officer, Thimmapur Police Station Karimnagar District.
6. The Sub-Inspector of Police, Thimmapur Police Station Karimnagar District.
7. Sri Karra Swamy, Occ. Circle Inspector of Police O/o.Thimmapur Police Station Karimnagar District.
8. Ankus Bee, S/o.Md.Ankus, Occ. Housewife R/o.Polampally, V/o.Thimmapur Mandal Karimnagar District, Telangana State.
9. Md.Rafi, S/o.Ankus, Occ. Agriculture R/o.Polampally, V/o.Thimmapur Mandal Karimnagar District, Telangana State.

Respondents

WHEREAS the Petitioners above named through their Advocate SRI MEGHANA ADDLA SUNEEL 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 Respondent Nos.5 to 7 in calling the petitioners to their police station for forcible settlement of the civil dispute at the instance of Respondent Nos.8 and 9 over the petitioners house property bearing H.No.2-11 (Old H.No.1-92), admeasuring 454 sq. yards situated at Polampalli Village, Thimmapur Mandal, Karimnagar District without registration of any crime under the threat of foisting false criminal case as illegal, arbitrary, unconstitutional and contrary to the provisions of Cr.P.C. and consequently direct the Respondent Nos.5 to 7 not to call the petitioners to their police station at the behest of Respondent Nos.8 and 9 for forcible settlement in the police station over the civil dispute without following due process of law;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri MEGHANA ADDLA SUNEEL, Advocate for the Petitioners, directed issue of notice to the Respondent Nos.8 and 9 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. Ankus Bee, S/o.Md.Ankus, Occ. Housewife R/o.Polampally, V/o.Thimmapur Mandal Karimnagar District, Telangana State.
2. Md.Rafi, S/o.Ankus, Occ. Agriculture R/o.Polampally, V/o.Thimmapur Mandal Karimnagar District, Telangana State.

are directed to show cause on or before 10-06-2024 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 Respondent Nos.5 to 7 not to call the petitioners to their police station at the behest of Respondent Nos.8 and 9 for forcible settlement in the police station over the property bearing H.No.2-11 (Old H.No.1-92), admeasuring 454 sq. yards situated at Polampalli Village, Thimmapur Mandal, Karimnagar District without following due process of law, pending disposal of WP No. 12260 of 2024, on the file of the High Court.

The Court made the following:

ORDER:

Issue notice to respondents No.8 and 9.

Learned counsel for the petitioners is permitted to take out personal notice to respondents No.8 and 9 and file proof of service by the next date of hearing.

Having received written instructions, learned Assistant Government Pleader for Home submitted that on complaint lodged by respondent No.8, a General Diary entry was made. It is stated that the preliminary enquiry has been taken up and the same is pending.

In the circumstances, there shall be interim direction to respondent No.5 to 7 not to interfere with the personal liberty of the petitioners in connection with the property disputes without following due process of law and to conduct enquiry on the complaint of respondent No.8 in accordance with the law laid down in Lalitha Kumari v. Government of U.P (AIR 2012 SC 1515).

Post on 10.06.2024.

//TRUE COPY//

SD/-MOHD. ISMAIL
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary Home Department, State of Telangana, Secretariat, Hyderabad.
2. The Director General of Police, Government of Telangana State, Lakdikapool, Hyderabad.
3. The Commissioner of Police, Karimnagar, Karimnagar District.
4. The Assistant Commissioner of Police, Karimnagar Rural Karimnagar District.
5. The Station House Officer, Thimmapur Police Station Karimnagar District.
6. The Sub-Inspector of Police, Thimmapur Police Station Karimnagar District.
7. Sri Karra Swamy, Occ. Circle Inspector of Police O/o.Thimmapur Police Station Karimnagar District. (1 to 7 by RPAD)
8. Ankus Bee, S/o.Md.Ankus, Occ. Housewife R/o.Polampally, V/o.Thimmapur Mandal Karimnagar District, Telangana State.
9. Md.Rafi, S/o.Ankus, Occ. Agriculture R/o.Polampally, V/o.Thimmapur Mandal Karimnagar District, Telangana State. (8 & 9 by RPAD- along with a copy of petition and affidavit)
10. One CC to SRI MEGHANA ADDLA SUNEEL Advocate [OPUC]
11. Two CCs to GP FOR HOME, High Court at Hyderabad. [OUT]
12. One spare copy

HIGH COURT

BVR,J

DATED:02/05/2024

Post on 10.06.2024

NOTICE BEFORE ADMISSION

WP.No.12260 of 2024



INTERIM DIRECTION