

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

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

: PRESENT:

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 13093 OF 2024

Between

Perna Ravindarnath Thakur, S/o Late P. Srirama Murthy, Aged about 78,
Occ: Retired Serviceman, R/o. plot No.13, BHEL Enclave, Akbar Road,
Secunderabad, Telangana- 500009

...PETITIONER

AND

1. The State of Telangana, Rep by its Principles Secretary, (Home) Secretariat Buildings, Hyderabad.
2. The Commissioner of Police, Hyderabad Commissionerate, Hyderabad, Telangana.
3. The Deputy Commissioner of Police, North Zone, Hyderabad Commissionerate, Telangana.
4. Assistant Commissioner of Police, Tirumalgiri, Hyderabad Commissionerate, Hyderabad, Telangana.
5. The Station House Officer, Karkhana Police, Secunderabad, Telangana.
6. Perna Swarupa, W/o Raju Rahul, Aged about 46 years, Occ : Housewife, R/o. plot No. 5, Lakshmi Bangaru Nagar Exxtension-3, Melmaruvarthur, Chengalpattu District, Tamil Nadu- 603319

...RESPONDENTS

WHEREAS the Petitioner above named through his Advocate SRI E VENKATA SIDDHARTHA 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 any writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the Respondents more particularly respondent No. 5 in interfering in civil disputes vide O.S. No. 7 of 2024 pending on the filed of I Addl. Chief Judge, City Civil Court, Secunderabad pending between the Petitioner and Respondent No. 6 and trying to settle the said disputes by registering illegal and fraudulent complainants on the petitioner and harassing the Petitioner on the name of investigation and calling him

to the office of Respondent No. 5 and making him sit for hours together and threatening him and his old aged father to settle the civil disputes as illegal, arbitrary and unconstitutional and consequently direct the Respondent No. 5 not to interfere in the civil disputes vide O.S. No. 7 of 2024 pending on the filed of I Addl Chief Judge, City Civil Court, Secunderabad pending between the Petitioner and Respondent No. 6 including calling him to police station on the name of investigation.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri E VENKATA SIDDHARTHA Advocate for the Petitioner and Learned Assistant Government Pleader for Home who takes notice for respondent Nos.1 to 5 and seeks time to file counter affidavit. 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 Principlal Secretary, (Home)State of Telangana, Secretariat Buildings, Hyderabad.
2. The Commissioner of Police, Hyderabad Commissionerate, Hyderabad, Telangana.
3. The Deputy Commissioner of Police, North Zone, Hyderabad Commissionerate, Telangana.
4. The Assistant Commissioner of Police, Tirumalgiri, Hyderabad Commissionerate, Hyderabad, Telangana.
5. The Station House Officer, Karkhana Police, Secunderabad, Telangana.
6. Perna Swarupa, W/o Raju Rahul, Occ:Housewife, R/o. plot No. 5, Lakshmi Bangaru Nagar Exxtension-3, Melmaruvarthur, Chengalpattu District, Tamil Nadu- 603319

are directed to show cause on or before 04/06/2024 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 No. 5 not to interfere in the civil disputes vide O.S. No. 7 of 2024 pending on the filed of I Addl Chief Judge, City Civil Court, Secunderabad pending between the Petitioner and Respondent No. 6 including calling him to police station on the name of investigation.

The Court made the following: ORDER

Notice before admission.

Learned Assistant Government Pleader for Home takes notice for respondent Nos.1 to 5 and seeks time to file counter affidavit.

Learned counsel for the petitioner is permitted to take out personal notice to respondent No.6 by Registered Post with Acknowledgment Due and file proof of service before the next date of listing.

The case of the petitioner, who is aged about 78, is that he is a retired Government servant. It is his further case that there are disputes between him and respondent No.6, who is none other than his daughter. It is stated that acting on the complaint made by respondent No.6, a case in crime No.40 of 2024 on the file of Karkana Police Station has been registered against the petitioner for the offences under Sections 323, 379, 448, 506 and 509 r/w 34 of Indian Penal Code. When respondent No.6 was frequently interfering with the petitioner's peaceful possession and causing inconvenience, the petitioner's wife was constrained to file a complaint against respondent No.6 and the same was registered as a case in crime No.142 of 2023 of Karkana Police Station. After completing investigation, the respondent police laid a charge sheet and the same was taken cognizance as C.C.No.1335 of 2023 on the file of the learned XI Additional Chief Metropolitan Magistrate, Secunderabad.

The grievance of the petitioner is that pending adjudication of the said calendar case, when respondent No.6 was frequently interfering with his possession, he was constrained to file a suit in O.S.No.7 of 2024 on the file of the learned Additional Chief Judge, City Civil Court, Hyderabad and the same is pending for adjudication.

It is the case of the petitioner that pending adjudication of the said suit, at the instance of respondent No.6, the respondent No.5 is frequently summoning him and forcing him to enter into settlement/compromise with respondent No.6 and withdraw the cases filed against respondent No.6.

Learned counsel appearing for the petitioner vehemently contended that respondent Nos.3 to 5 are not having any power or authority to interfere with civil disputes pending between the petitioner and respondent No.6 and force him to withdraw the said cases.

Learned Assistant Government Pleader for Home seeks time to file counter affidavit.

Pending filing of the counter-affidavit by the respondents, there shall be interim direction to respondent Nos.3 to 5 not to interfere with civil disputes pending between the petitioner and respondent No.6 or summon the petitioner to settle the disputes in any manner.

Post on 04.06.2024 for filing counter affidavit.

//TRUE COPY//

SD/-MOHD. ISMAIL
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, (Home) State of Telangana, Secretariat Buildings, Hyderabad.
2. The Commissioner of Police, Hyderabad Commissionerate, Hyderabad, Telangana.
3. The Deputy Commissioner of Police, North Zone, Hyderabad Commissionerate, Telangana.
4. The Assistant Commissioner of Police, Tirumalgiri, Hyderabad Commissionerate, Hyderabad, Telangana.
5. The Station House Officer, Karkhana Police, Secunderabad, Telangana.
6. Perna Swarupa, W/o Raju Rahul, Occ:Housewife, R/o. plot No. 5, Lakshmi Bangaru Nagar Exxtension-3, Melmaruvarthur, Chengalpattu District, Tamil Nadu- 603319(RR-1 to 6 by RPAD- along with a copy of petition and affidavit)
7. One CC to SRI. E VENKATA SIDDHARTHA, Advocate.[OPUC]
8. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad.[OUT]
9. One spare copy

HIGH COURT

CVBR,J

DATED:09/05/2024

**POST ON 04.06.2024 FOR FILING COUNTER
AFFIDAVIT.**



NOTICE BEFORE ADMISSION

WP.No.13093 of 2024

DIRECTION