

(SHOW CAUSE NOTICE BEFORE ADMISSION)

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE SIXTEENTH DAY OF MAY

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 13356 OF 2024

Between:

ANAND PARBOILED RICE MILL PVT., LTD, Rep., by its Managing Director,
Aerupula Rajeshwar Rao, S/o. Late A.Narahari Rao, Aged about. 56 years,
Registered office/Par Boiled Rice Mill situated at. 1-58/1, its comes under
Medipally Municipality, Medchal-Malkajgiri District, Telangana.

Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary to Government,
Home Department, Dr.B.R.Ambedkar, Telangana Secretariat, Hyderabad,
Telangana.
2. The Director General of Police, State of Telangana, Office at. Lakidikapul,
Hyderabad, Telangana.
3. The Commissioner of Police, Rachakonda Police Commissionerate,
Neredmet, Medchal-Malkajgiri District, Telangana.
4. The Deputy Commissioner of Police, Malkajgiri Zone, Rachakonda Police
Commissionerate, Neredmet, Medchal-Malkajgiri District, Telangana.
5. The Assistant Commissioner of Police, Malkajgiri Division, Rachakonda
Police Commissionerate, Uppal PS Premises, Medchal-Malkajgiri District,
Telangana.
6. The Station House Officer/Inspector of Police, Medipally, Police Station,
Medipally, Medchal-Malkajgiri District, Telangana.
7. Sri.R.Govinda Reddy, Occ. Inspector of Police, Medipally, Police Station,
C/o. Medipally, Police Satiation, Medipally, Medchal-Malkajgiri District,
Telangana

8. Smt.A.Vijaya Kumari, W/o. A. Venkateshwar Rao, Occ. Private Services,
R/o. H.No.12-13-734, Lane No.1, Street No.1, Kimetee Colony, Tarnaka,
Hyderabad, Telangana.

Respondents

WHEREAS the Petitioner above named through its Advocate SRI CHANDRASEKHAR REDDY GOPIREDDY 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, to declare the illegal action of the respondents herein, particularly 6th respondents and its authorities, illegally interfering into the life and liberty of the petitioner and petitioner property bearing No.1-178 (Old No.1-58/1) and illegally interfering into the civil disputes, at the instance and influence of the 8th unofficial respondent, despite 6th and 7th respondents herein not having any authority or power, to call the petitioner to the Police Station, i.e., 6th respondent police station, without pending any compliant or crime and moreover 7th, 8th respondents herein are threatening the managing director of the writ petitioner, insisting and trying to disposes the petitioner and petitioner property from petitioner lawful possession and premises, bearing No.1-178 (Old No.1-58/1), situated in Sy.No. 105, admeasuring 10,400 Sq.yards covered with single piece of land and its also covered with compound wall, its comes under Medipally Municipality (earlier Medipally Village), Medchal-Malkajgiri District, and same has been illegal, arbitrary, unjust, and unconstitutional and its nothing but misuse of their official powers and also pecuniary advantage by abusing their positions as public servants and its violation of Article 14, 15, 21, and 300-A of Constitution of India and also violation of Principles of Natural Justice, and consequently direct the respondents herein, not to call the writ petition management including managing director to the 6th respondent police station & not to interfere with the civil disputes in respect of petitioner subject property/premises bearing No.1-178 (Old No.1-58/1), situated in Sy.No.105, admeasuring 10,400 Sq.yards covered with single piece of land and its also covered with compound wall, its comes under Medipally Municipality (earlier Medipally Village), Medchal-Malkajgiri District;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of SRI CHANDRASEKHAR REDDY GOPIREDDY Advocate for the Petitioner, Assistant Government Pleader for Home who takes notice to Respondents No.1 to 6, 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 to Government, Home Department, State of Telangana, Dr.B.R.Ambedkar, Telangana Secretariat, Hyderabad, Telangana.
2. The Director General of Police, State of Telangana, Office at. Lakidikapul, Hyderabad, Telangana.
3. The Commissioner of Police, Rachakonda Police Commissionerate, Neredmet, Medchal-Malkajgiri District, Telangana.
4. The Deputy Commissioner of Police, Malkajgiri Zone, Rachakonda Police Commissionerate, Neredmet, Medchal-Malkajgiri District, Telangana.
5. The Assistant Commissioner of Police, Malkajgiri Division, Rachakonda Police Commissionerate, Uppal PS Premises, Medchal-Malkajgiri District, Telangana.
6. The Station House Officer/Inspector of Police, Medipally, Police Station, Medipally, Medchal-Malkajgiri District, Telangana.
7. Sri.R.Govinda Reddy, Occ. Inspector of Police, Medipally, Police Station, C/o. Medipally, Police Satiation, Medipally, Medchal-Malkajgiri District, Telangana
8. Smt.A.Vijaya Kumari, W/o. A. Venkateshwar Rao, Occ. Private Services, R/o. H.No.12-13-734, Lane No.1, Street No.1, Kimetee Colony, Tarnaka, Hyderabad, Telangana.

are directed to show cause on or before 13.06.2024 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 of C.P.C 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 herein, not to call the writ petition management including managing director to the 6th respondent police station and not to interfere with the civil disputes in respect of petitioner subject property /premises bearing No.1-178 (Old No.1-58/1), situated in Sy.No.105, admeasuring 10,400 Sq.yards covered with single piece of land and its also covered with compound wall, its comes under Medipally Municipality (earlier Medipally Village), Medchal-Malkajgiri District, in the interest of justice, pending disposal of WP No. 13356 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 6 and seeks time to file counter-affidavit.

Learned counsel for the petitioner is permitted to take out personal notice to respondent Nos.7 and 8 through 'RPAD' and file proof of service in the Registry by the next date of hearing.

The petitioner herein is a paraboiled rice mill registered under the provisions of the of the Companies Act, 1956 vide registration No.4101 of 1983-84, dated 29.08.1983 under the name and style as Anand Paraboiled Rice Mill Private Limited, established at premises bearing No.1-178 (Old No.1-58/1) in Sy.No.105 admeasuring 10,400 square yards situated at Medipally Village, Medchal-Malkajgiri District and the petitioner had obtained all necessary permissions from the competent authorities. The case of the petitioner is that disputing its title and possession, respondent No.8 instituted a suit in O.S.No.695 of 2012 on the file of the Principal Senior Civil Judge, L.B.Nagar, Ranga Reddy District and after contest, the said suit was dismissed on 26.11.2018. It is the further case of the petitioner when respondent Nos.3 to 6 are interfering with its possession at the instance of respondent Nos.7 and 8, it was constrained to file W.P.Nos.14433 of 2023 and 5703 of 2024 before this Court and the same are pending for adjudication. The

grievance of the petitioner is that pending adjudication of the said writ petitions, at the instigation of respondent Nos.7 and 8, the respondents-police are frequently summoning the Managing Director of the petitioner to the police station and forcing him to enter into a settlement/compromise with respondent Nos.7 and 8 as per the terms dictated by them.

In the said circumstances, there shall be interim direction to respondent Nos.2 to 6 not to interfere with petitioner's rice mill situated at premises bearing No.1-178 (Old No.1-58/1) in Sy.No.105 admeasuring 10,400 square yards, Medipally Municipality, Medchal-Malkajgiri District, without following due process of law.

List on 13.06.2024.

//TRUE COPY//

**SD/-P. PADMANABHA REDD
ASSISTANT REGISTRA**

SECTION OFFICER

To,

1. The Principal Secretary to Government, Home Department, State of Telangana, Dr.B.R.Ambedkar, Telangana Secretariat, Hyderabad, Telangana.
2. The Director General of Police, State of Telangana, Office at. Lakidikapul, Hyderabad, Telangana.
3. The Commissioner of Police, Rachakonda Police Commissionerate, Neredmet, Medchal-Malkajgiri District, Telangana.
4. The Deputy Commissioner of Police, Malkajgiri Zone, Rachakonda Police Commissionerate, Neredmet, Medchal-Malkajgiri District, Telangana.
5. The Assistant Commissioner of Police, Malkajgiri Division, Rachakonda Police Commissionerate, Uppal PS Premises, Medchal-Malkajgiri District, Telangana.
6. The Station House Officer/Inspector of Police, Medipally, Police Station, Medipally, Medchal-Malkajgiri District, Telangana.

7. Sri.R.Govinda Reddy, Occ. Inspector of Police, Medipally, Police Station, C/o. Medipally, Police Satiation, Medipally, Medchal-Malkajgiri District, Telangana
8. Smt.A.Vijaya Kumari, W/o. A. Venkateshwar Rao, Occ. Private Services, R/o. H.No.12-13-734, Lane No.1, Street No.1, Kimetee Colony, Tarnaka, Hyderabad, Telangana. (1 to 8 by RPAD- along with a copy of petition and memorandum of grounds)
9. One CC to SRI CHANDRASEKHAR REDDY GOPIREDDY Advocate [OPUC]
10. Two CCs to the GP for Home, High Court for the State of Telangana at Hyderabad. [OUT]
11. One spare copy

HIGH COURT

CVBR,J

DATED:16/05/2024

List on 13.06.2024

NOTICE BEFORE ADMISSION

WP.No.13356 of 2024

DIRECTION

