

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

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

:PRESENT:

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY
WRIT PETITION NO: 13364 OF 2024

Between:

1. Anumula Bhasker, S/o. A. Karunakar
2. Ellandula Chiranjeevi, S/o. Lingaiah

...Petitioners

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat, Hyderabad.
2. The Station House Officer, Karimnagar, III Town, District Karimnagar.
3. The Commissioner of Police, Karimnagar, Police Commissionerate, Karimnagar.
4. The Asst. Commissioner of Police, Economic Offences Wing attached to Commissioner of Police, Karimnagar, Karimnagar.
5. The Circle Inspector, Commissioner of Police Head Quarters, Economic Offences Wing, Karimnagar.
6. Kankanala @ Arram Lavanya, W/o. Arram Vishnu Vardhan Reddy, Aged about 36 Years, Occ: Doctor, R/o. H.No.2-10-1012, Jyothi Nagar, Karimnagar Town, District Karimnagar.

...Respondents

WHEREAS the Petitioners above named through their Advocate M/s. S. BHOOMA GOUD 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 Order, Direction or a Writ more particularly one in the nature of Writ Of Mandamus declaring the high handed action of the Respondent Nos.2 and 4 in interfering with the civil dispute in O.S.No.65 of 2022, on the file of IV Additional District Judge at Karimnagar between the Petitioners and Respondent No.6 in relating to open land admeasuring 584.33 Sq. Yards in Sy.No.1374/A, situated at Subhash Nagar locality, Karimnagar Town, District-Karimnagar and threatening the Petitioners to vacate the said land and deliver the same to the Respondent No.6, otherwise they will dispossess the Petitioners from the above said property with police force in large and deliver the same to the

Respondent No.6 as illegal, arbitrary, unreasonable and violation of Article 300-A of the Constitution of India and consequently direct the Respondent Nos.2 and 4 not to interfere with the civil dispute between the Petitioners and Respondent No.6 in respect of said land admeasuring 584.33 Sq. Yards in Sy.No.1374/A, situated at Subhash Nagar locality, Karimnagar Town, District- Karimnagar and not to harass the Petitioners in the interest of justice.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of M/s. S. BHOOMA GOUD Advocate for the Petitioners and the learned Government Pleader for Home, who takes notice on behalf of R-1 to R-5, 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, Hyderabad.
2. The Station House Officer, Karimnagar, III Town, District Karimnagar.
3. The Commissioner of Police, Karimnagar, Police Commissionerate, Karimnagar.
4. The Asst. Commissioner of Police, Economic Offences Wing attached to Commissioner of Police, Karimnagar, Karimnagar.
5. The Circle Inspector, Commissioner of Police Head Quarters, Economic Offences Wing, Karimnagar.
6. Kankanala @ Arram Lavanya, W/o. Arram Vishnu Vardhan Reddy, Aged about 36 Years, Occ: Doctor, R/o. H.No.2-10-1012, Jyothi Nagar, Karimnagar Town, District Karimnagar.

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 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondent Nos.2 and 4 not to interfere with the civil dispute in O.S.No.65 of 2022, on the file of Honorable IV Additional District Judge at Karimnagar between the Petitioners and Respondent No.6 in respect of said land admeasuring 584.33 Sq. Yards in Sy.No.1374/A, situated at Subhash Nagar locality, Karimnagar Town, District- Karimnagar and not to dispossess the Petitioners from the said land without adopting due course of law, pending disposal of WP.No.13364 of 2024, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Learned Government Pleader for Home takes notice on behalf of R-1 to R-5 and seeks time to file counter affidavit.

Learned counsel for the petitioners is permitted to take out personal notice to R-6 by RPAD and to file proof of service by the next date of hearing.

The petitioners claim to be the owners and possessors of land admeasuring an extent of 584.33 square yards in Survey No.1374/A situated at Subhash Nagar locality, Karimnagar Town and District, having purchased the same through a Registered Sale Deed bearing Doc.No.8160 of 2022, dated 15.07.2022. It is the case of the petitioners that, disputing their title and possession over the subject property, the sixth respondent has instituted O.S.No.65 of 2022 on the file of the District Judge at Karimnagar and the same is pending for adjudication.

The grievance of the petitioners is that, pending adjudication of the said suit, at the instance of the sixth respondent, the respondents 2 to 5 are frequently summoning the petitioners and confining them hours together even though their presence is not required for the purpose of investigation in any crime and also making efforts to falsely implicate in a criminal case.

Pending filing of the counter affidavit, there shall be interim direction to the respondents 1 to 5 not to interfere with the civil rights of the petitioners over the property admeasuring an extent of 584.33 square yards in Survey No.1374/A situated at Subhash Nagar locality, Karimnagar Town and District, without following due process of law.

List on 13.06.2024.

//TRUE COPY//

Sd/- L.SHIVA PARVATHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Home Department, State of Telangana, Secretariat, Hyderabad.
2. The Station House Officer, Karimnagar, III Town, District Karimnagar.
3. The Commissioner of Police, Karimnagar, Police Commissionerate, Karimnagar.
4. The Asst. Commissioner of Police, Economic Offences Wing attached to Commissioner of Police, Karimnagar, Karimnagar.
5. The Circle Inspector, Commissioner of Police Head Quarters, Economic Offences Wing, Karimnagar.
6. Kankanala @ Arram Lavanya, W/o. Arram Vishnu Vardhan Reddy, Aged about 36 Years, Occ: Doctor, R/o. H.No.2-10-1012, Jyothi Nagar, Karimnagar Town, District Karimnagar (RR 1 to 6 by RPAD along with a copy of petition and affidavit).
7. One CC to M/s. S. BHOOMA GOUD, Advocate [OPUC].
8. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad [OUT].
9. One spare copy
ZEE

HIGH COURT

CVBRJ

DATED:16/05/2024

LIST ON 13.06.2024

NOTICE BEFORE ADMISSION

WP.No.13364 of 2024

INTERIM DIRECTION

