



[3217]

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

SATURDAY, THE TWENTY FIFTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE N. TUKARAMJI

WRIT PETITION NO: 32144 OF 2025

Between:

Mohamed Shiraj, S/o Khaja Miya, aged about 69 years, Occ: Agriculture, R/o Madharam Village, Parigi Mandal, Vikarabad District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Development Department, Secretariat Building, Secretariat, Hyderabad
2. The Director General of Police, Telangana State, Hyderabad
3. The Superintendent of Police, Vikarabad, Vikarabad District.
4. The Deputy Superintendent of Police, Vikarabad Division, Vikarabad District
5. The Station House Officer, Parigi, Parigi Police Station, Vikarabad District
6. Badekhan, S/o Late Bandelly, aged about 59 years, Occ. Agriculture, R/o Petamadaram Village, Parigi Mandal, Vikarabad District
7. Hussain Khan, S/o Bandelli, Aged about 40 years, Occ. Agriculture, R/o H.No.2-3, Madharam Village, Parigi Mandal, Vikarabad District.
8. Mohamed Rasheed, S/o Badekhan, aged about 28 years, Occ. Business, R/o H.No.2-8, Madharam Village, Parigi Mandal, Vikarabad 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 order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.5 in interfering into the civil disputes between the petitioner and respondent Nos.6 to 8 during the pendency of the civil suit I.A.No.263 of 2022 in O.S.No.114 of 2022 on the file Junior Civil Judge Parigi, Ranga Reddy District, and calling to the petitioner to the police and threatening to handover the land of the petitioner's land in Sy.No.207/3 to an extent of Ac.4.16 gts situated at Madharam Village, Parigi Mandal, Vikarabad District, and trying to dispossess the petitioner from his land, without having any jurisdiction and registering the false criminal cases against the petitioner, is highly



2025:TSHC:39636

illegal, arbitrary, unconstitutional and violation of Principles of Natural Justice and also in violation of Articles 14, 21 & 300-A of the Constitution of India and consequently direct the respondent No.5 not to interfere into the civil disputes between the petitioner and respondent Nos.6 to 8 during the pendency of the civil suit I.A.No.263 of 2022 in O.S.No.114 of 2022 on the file Junior Civil Judge Pargi, Ranga Reddy District, not to call the petitioner into the police station and not to threaten to handover the land of the petitioners land in Sy.No.207/3 to an extent of Ac.4.16 gts situated at Madharam Village, Pargi Mandal, Vikarabad District, and not to dispossess the petitioner from his land.

IA NO: 1 OF 2025

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 into the civil disputes between the petitioner and respondent Nos.6 to 8 during the pendency of the civil suit I.A.No.263 of 2022 in O.S.No.114 of 2022 on the file Junior Civil Judge Pargi, Ranga Reddy District, not to call the petitioner into the police station and not to threaten to handover the land of the petitioners land in Sy.No.207/3 to an extent of Ac.4.16 gts situated at Madharam Village, Pargi Mandal, Vikarabad District, and not to dispossess the petitioner from his land pending disposal of the writ petition

**Counsel for the Petitioner: SRI A. SUHAS CHARY, REPRESENTING FOR
SRI RAPOLU BHASKAR**

**Counsel for the Respondent No.1 to 5: SRI R. LAXMIKANTH REDDY,
ASST. GP FOR HOME**

Counsel for the Respondent No.6 to 8: - - -

The Court made the following: ORDER



2025:TSHC:39636

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

WRIT PETITION No.32144 OF 2025

ORDER:

This Writ Petition is filed under Article 226 of Constitution of India seeking the following relief/s:-

"...to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.5 in interfering into the civil disputes between the petitioner and respondent Nos.6 to 8 during the pendency of the civil suit I.A.No.263 of 2022 in O.S.No.114 of 2022 on the file of Junior Civil Judge Pargi, Ranga Reddy District, and calling to the petitioner to the police and threatening to handover the land of the petitioner's land in Sy.No.207/3 to an extent of Ac.4.16 guntas situated at Madharam Village, Pargi Mandal, Vikarabad District, and trying to dispossess the petitioner from his land, without having any jurisdiction and registering the false criminal cases against the petitioner, is highly illegal, arbitrary, unconstitutional and violation of Principles of Constitution of India and consequently direct the respondent No.5 not to interfere into the civil disputes between the petitioner and respondent Nos.6 to 8 during the pendency of the civil suit I.A.No.263 of 2022 in O.S.No.114 of 2022 on the file of Junior Civil Judge Pargi, Ranga Reddy District, not to call the petitioner into the police station and not to threaten to handover the land of the petitioner's land in Sy.No.207/3 to an extent of Ac.4.16 guntas situated at Madharam Village, Pargi Mandal, Vikarabad District, and not to dispossess the petitioner from his land and to pass..."

2. Heard Mr.A. Suhas Chary, learned counsel representing Mr.Rapolu Bhaskar, learned counsel for the petitioner and Mr.R.Laxmikanth Reddy, learned Assistant Government Pleader for Home appearing for respondent Nos.1 to 5.

3. Learned counsel for the petitioner submits that respondent No.5, the Station House Officer, is interfering in civil disputes between the petitioner and the unofficial respondents, despite the



fact that such disputes are pending adjudication before the competent Civil Court. It is further alleged that respondent No.5 has even threatened to dispossess the petitioner from the subject property and to hand over possession to the unofficial respondents. Hence, the learned counsel prays that this Court may be pleased to issue appropriate directions restraining such interference.

4. Learned Assistant Government Pleader for Home, appearing on behalf of respondent Nos.1 to 5, submits that neither respondent No.5 nor any other police officer has interfered in the civil disputes between the parties. It is contended that the allegations made by the petitioner are unsubstantiated by any material evidence, and therefore, the petition deserves to be dismissed.

5. I have perused the material placed on record and considered the submissions advanced by both sides.

6. Having regard to the averments made in the petitioner's affidavit and the settled legal position regarding the limited role of the police in civil disputes, this Court is of the view that the police authorities have no jurisdiction to interfere in purely civil



matters pending before a competent court. The police are duty-bound to refrain from taking sides or disturbing possession unless acting under lawful authority or pursuant to an order of a competent court.

7. Accordingly, respondent No.5 is directed not to interfere in any manner with the civil disputes between the petitioner and the unofficial respondents and shall not disturb or dispossess the petitioner from the subject property. However, it is made clear that this shall not preclude the police from taking any action strictly in accordance with law, and only by following the due process of law.

8. With the aforesaid direction, this writ petition is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, pending if any, shall stand closed.

SD/- A. SREENIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Home Development Department, The State of Telangana, Secretariat Building, Secretariat, Hyderabad
2. The Director General of Police, Telangana State, Hyderabad
3. The Superintendent of Police, Vikarabad, Vikarabad District.
4. The Deputy Superintendent of Police, Vikarabad Division, Vikarabad District
5. The Station House Officer, Parigi, Parigi Police Station, Vikarabad District
6. One CC to SRI RAPOLU BHASKAR, Advocate [OPUC]
7. Two CCs to GP FOR HOME, High Court for the State of Telangana. [OUT]
8. Two CD Copies

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4/11/25