

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

**MONDAY, THE TWENTY EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SMT JUSTICE P.MADHAVI DEVI

WRIT PETITION NO: 33494 OF 2021

Between:

Godasu Venkatesh, S/o.Ramaiah, Aged about 42 years, Occ: Agriculture, R/o. Kongarakalan Village, Ibrahimpatanam Mandal, Ranga Reddy District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat, Buildings, Hyderabad.
2. The Station House Officer, Adibatla PS, Ranga Reddy District.
3. The Commissioner of Police, Rachakonda.
4. Mr.Narender, Presently working as Circle Inspector of Police Adibatla Police Station Ranga Reddy District.
5. Kolan Surender Reddy, S/o.Venkat Reddy Aged about 54 years, Occ: Business R/o. Flat No.402, Swetha Homes Roads, No.2/G Green Hills Colony, Kothapet, Saroornagar Mandal, Ranga Reddy 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 any writ, order or direction more particularly one in the nature of, Writ of Mandamus declare the action of the Respondent Nos.2 and 4 herein in interfering in civil dispute, illegally detaining petitioner and petitioner sister in law in the police station on 08.12.2021 from 04.30 PM to 07.30 PM abusing in filthy language and further threatening not to enter into the petitioners land in Sy.No.274, 275 and 279 to an extent of 8 acres 16 guntas situated at

Kongarakalan Village, Ibrahimpatnam Mandal, Ranga Reddy District, subject matter of OS.No.379/2021 on the file of XIII ADL District and Sessions Judge Ranga Reddy District at L.B.Nagar as being illegal, arbitrary discriminatory and violative of Articles 14, 21 and 300(A) of Constitution of India.

IA NO: 1 OF 2021

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.2 herein to preserve the CC footages of the Respondent No.1 Police Station from 08.12.2021 between 04.30 PM to 08.00 PM and submit before this Hon'ble Court.

IA NO: 2 OF 2021

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.2 and 4 herein not to interfere in civil matter in respect of land in Sy.No.274, 275 and 279 to an extent of 8 acres 16 guntas situated at Kongarakalan Village, Ibrahimpatnam Mandal, Ranga Reddy District subject matter of OS No.379/2021 on the file of XIII ADL District and Sessions Judge Ranga Reddy District at L.B.Nagar.

IA NO: 3 OF 2021

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.3 herein to conduct departmental enquiry against the Respondent No.4 herein for interfering in civil dispute subject matter of OS.No.379/2021 on the file of XIII ADL District and Sessions Judge Ranga Reddy District at L.B.Nagar.

Counsel for the Petitioner : SRI. V. RAGHUNATH

Counsel for the Respondent Nos. 1 to 3 : GP FOR HOME

Counsel for the Respondent Nos. 4 & 5 :

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE P.MADHAVI DEVI

W.P. No.33494 of 2021

ORDER:

This writ petition has been filed seeking a writ of mandamus declaring the action of the respondents No.2 and 4 in interfering in civil dispute, illegally detaining petitioner and petitioner's sister-in-law in the Police Station on 08.12.2021 from 04:30 pm to 07:30 pm., abusing in filthy language and further threatening not to enter into the petitioners land in Sy.No 274, 275 & 279 to an extent of Acs.8.16 guntas situated at Kongamalan village, Ibrahimpatnam Mandal, Ranga Reddy district, subject matter of O.S. No.379 of 2021 on the file of the XIII Additional District and Sessions Judge, Ranga Reddy district at L.B Nagar as being illegal and arbitrary.

2. Along with the writ petition, I.A. No.3 of 2021 has also been filed seeking direction to the respondent No.3 to conduct departmental enquiry against the respondent No.4 for interfering in civil dispute, which is subject matter of O.S. No.379 of 2021 on the file of the XIII Additional District and Sessions Judge, Ranga Reddy District at L.B. Nagar.

3. This Court vide its order dated 13.12.2021, directed the respondents No.2 and 4 not to interfere with the civil disputes in connection with land admeasuring Acs.8.16 guntas in Sy.Nos.274, 275 and 279, situated at Kongarakalan village, Ibrahimpatnam Mandal, Ranga Reddy district, which is the subject matter of O.S. No.379 of 2021 on the file of the XIII Additional District and Sessions Judge, Ranga Reddy district at L.B. Nagar. It was also observed that the said order shall not have any bearing on the disputes regarding title and possession between the petitioner and respondent No.5 or any other private parties.

4. At this juncture, it is to be noted that the prayer sought for in I.A. No.3 of 2021 does not survive as the order of this Court dated 13.12.2021 holds good.

5. As regards the prayer in the writ petition to preserve the C.C. TV footage of the Police Station from 04:30pm., to 07:30 pm., on 08.12.2021 is concerned, the learned Government Pleader for Home submits that the C.C. TV footage can be preserved only for a period of 30 days and the footage sought for

by the petitioner being of 08.12.2021, after lapse of 30 days is not available.

6. Taking the above submissions of the learned Government Pleader for Home into consideration, this Court cannot order to preserve something which is not in existence for the said period.

7. Recording the above submissions, this writ petition is liable to be closed.

Accordingly, this writ petition is closed. No order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

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SD/- G. SIREESHA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

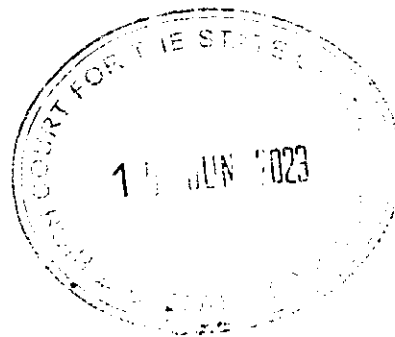
1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat, Buildings, Hyderabad.
2. The Station House Officer, Adibatla PS, Ranga Reddy District.
3. The Commissioner of Police, Rachakonda.
4. Mr. Narendar, Presently working as Circle Inspector of Police Adibatla Police Station Ranga Reddy District.
5. Kolan Surrender Reddy, S/o. Venkat Reddy Aged about 54 years, Occ. Business R/o. Flat No. 402, Swetha Homes Roads, No 2/G Green Hills Colony, Kothapet. Saroornagar Mandal, Ranga Reddy District.
6. One CC to SRI. V RAGHUNATH Advocate [OPUC]
7. Two CCs to GP FOR HOME (TG), High Court for the State of Telangana. [OUT]
8. Two CD Copies

HIGH COURT

DATED:28/02/2022

ORDER

W.P.No.33494 of 2021



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

[Handwritten signature]