

[3166]

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

WEDNESDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION NO: 21445 OF 2019

Between:

1. Katepally Sanjeeva Reddy, S/o. Late Katepally Chandra Reddy, aged 51 years R/o. 16-11-781/6/14, Moosarambagh Malakpet, Amberpet, Hyderabad
2. Modini Shiva Kumar, S/o. M. Shankarappa, aged 48 years Occ. Business, R/o. H No. 17-1-376/25, Ewsh 104, New Santosh Nagar Colony Near Maisamma Temple, Santosh Nagar Saidabad, Hyderabad 500 059
3. Varala Janga Reddy, S/o. Narasi Reddy, aged 49 years R/o. H No. 5-5-102/19, Hill Colony Vanasthaphipuram, Hyderabad

...PETITIONERS

AND

1. The State of Telangana, Rep by its Principal Secretary, Home Department, Secretariat, Hyderabad
2. The Commissioner of Police, Cyberabad Commissionerate, Gachibowli
3. The Deputy Commissioner of Police, Cyberabad Commissionerate, Gachibowli
4. The Assistant Commissioner of Police, Cyberabad Commissionerate, Gachibowli
5. The Station House Officer, Gachibowli Police Station, Gachibowli Hyderabad
6. M/s. Jayabheri Properties Pvt. Ltd., (Formerly Known as, M.M.Financiers Pvt. Ltd.) having its office at Plot No. 1, Jayabheri Enclave, Near Botanical Garden, Gachibowli, Hyderabad, rep by its Authorized Signatory Mannava Jagannathan

(R6 impleaded as per Court order dated 18/11/2019 in I.A.No. 2/19.)

...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 a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents police particularly 5th respondent police in not registering the FIR basing on the complaint of the petitioners dated 17.09.2019 acknowledged the same on 17.09.2019 is illegal, arbitrary and against the principles of natural justice and also violation of apex court rulings held in Lalitha Kumari Vs. Govt. of UP and ors and as well as Cr.P.C

and consequently direct the respondents police to entertain the complaint and register the FIR against the culprits.

IA NO: 1 OF 2019

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 respondents police to register the FIR basing on the complaint of the petitioners dated 17.09.2019 to take action against the culprits, pending disposal of the main writ petition.

Counsel for the Petitioners: SRI D.A.PREM CHAND
Counsel for the Respondent Nos.1 TO 5: GP FOR HOME
Counsel for the Respondent No.6: SRI E.AJAY REDDY

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE T. VINOD KUMAR

W.P.No. 21445 of 2019

ORDER:

None appears for the petitioners. Heard learned Government Pleader for Home appearing for respondent Nos.1 to 5 and Sri E.Ajay Reddy, learned counsel appearing for respondent No.6, and perused the record.

2. The grievance of the petitioners as set out in the affidavit filed in support of the Writ Petition is that the respondents-authorities are not taking action against the unofficial respondent herein by registering FIR on their complaint dt.17.09.2019, acknowledged on 17.09.2019, which action of the respondents it is contended as highly illegal and arbitrary.

3. When the matter is taken up for hearing, learned Government Pleader appearing for official respondents submits that the respondents-authorities on receiving the complaint made by the petitioners, have made a GD entry and after causing preliminary enquiry, closed the said complaint on 25.09.2019 by noting the same as "civil in nature"; and that the petitioners were also informed of the action taken by sending communication through registered post.

4. Having regard to the submission made as above and since, it is now stated before this Court that a communication through registered

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post has been sent to the petitioners informing them of the action taken on the aforementioned complaint lodged by closing the same as "civil in nature", this Court is of the view that the grievance of the petitioners in the present Writ Petition stands redressed. However, if the petitioners are aggrieved by the said action taken by the respondents-authorities, it is open for them to avail further remedies under Cr.P.C./BNSS.

5. Granting liberty as noted hereinabove, the present Writ Petition is disposed of. No order as to costs.

6. Consequently, miscellaneous petitions, if any, pending shall stand closed.

//TRUE COPY//

SD/-N. SRIHARI
DEPUTY REGISTRAR

SECTION OFFICER

To

1. The Principal Secretary, Home Department, Secretariat, Hyderabad, State of Telangana
2. The Commissioner of Police, Cyberabad Commissionerate, Gachibowli
3. The Deputy Commissioner of Police, Cyberabad Commissionerate, Gachibowli
4. The Assistant Commissioner of Police, Cyberabad Commissionerate, Gachibowli
5. The Station House Officer, Gachibowli Police Station, Gachibowli Hyderabad
6. One CC to SRI D.A. PREM CHAND, Advocate [OPUC]
7. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad. [OUT]
8. One CC to SRI E. AJAY REDDY, Advocate [OPUC]
9. Two CD Copies

PSK.
BS

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HIGH COURT

DATED:30/04/2025

ORDER

WP.No.21445 of 2019



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

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30/5/25