

**IN THE HIGH COURT OF JUDICATURE AT  
HYDERABAD  
FOR THE STATE OF TELANGANA AND THE STATE  
OF ANDHRA PRADESH**

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**CIVIL REVISION PETITION No.1971 of 2015**  
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Between:

Smt. Y.Hemalatha Devi (died)  
Per L.R., Y.Rajiv.

.. Petitioner

And

M/s. Vasavi Seva Kendram,  
Rep. by its General Secretary Sri K.Raghuveer.

.. Respondent

DATE OF JUDGMENT PRONOUNCED: 31-07-2015

**SUBMITTED FOR APPROVAL:**

**THE HON'BLE SRI JUSTICE R.SUBHASH REDDY**

1. Whether Reporters of Local newspapers  
Yes/No  
may be allowed to see the Judgment?

2. Whether the copies of judgment may be  
Yes/No  
marked to Law Reporters/Journals

3. Whether Their Lordship wish to  
see the fair copy of the  
Judgment? Yes/No

**HON'BLE SRI JUSTICE R.SUBHASH REDDY**

**CIVIL REVISION PETITION No.1971 of 2015**

**ORDER :**

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed against the order dated 30.04.2015 in I.A.No.104 of 2015 in O.S.No.2167 of 2010 on the file of the II Senior Civil Judge, City Civil Court, Hyderabad.

The respondent/plaintiff–organization filed the aforesaid suit against the petitioner/defendant for eviction and mesne profits by issuing notice under Section 106 of the Transfer of Property Act (for short, 'the Act'). The trial Court framed certain issues in the suit. Thereafter, alleging that in view of the pleadings, certain additional issues are required to be framed, the petitioner/defendant filed the present I.A with a prayer to frame the following additional

issues:

“i) Whether the defendant violated and contravened any conditions of the rental agreement dated 01.03.1999 ?

ii) Whether the plaintiff demanding the fair rent from the defendant ?

iii) Whether the plaintiff demanding the rents from the defendants on par with other lessees within the same premises ?”

By the impugned order dated 30.04.2015, the trial Court dismissed the said I.A.

Heard learned counsel for the petitioner and perused the material available on record.

The suit is based on the eviction notice issued under Section 106 of the Act. The quantum of rent cannot be a ground to defend the defendant's possession. Further the rental agreement dated 01.03.1999 entered into between the petitioner and the defendant was only for a period of 11 months and there is no renewal of lease in favour of the defendant. In these circumstances and also in view of the reasons recorded by the trial Court, I do not find any merit in this revision warranting interference of this Court in exercise of revisional jurisdiction under Article 227 of the Constitution of India.

Accordingly, the Civil Revision Petition is dismissed.  
There shall be no order as to costs.

As a sequel, pending miscellaneous petitions, if any,  
shall stand closed.

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**JUSTICE R. SUBHASH  
REDDY**

31.07.2015

v v