

**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.795 of 2011

Between:

Smt.Rathipally Pushpaneela

....Petitioner

and

Smt.Karra Suvarna

....Respondent

JUDGMENT PRONOUNCED ON : 21.12.2015

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO :

1. Whether Reporters of Local newspapers : Yes
may be allowed to see the Judgments?
2. Whether the copies of judgment may be : No
Marked to Law Reporters/Journals?
3. Whether Their Ladyship/Lordship wish to : No
see the fair copy of the Judgment?

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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ORDER:

The petitioner is the plaintiff in O.S.S.R.No.429 of 2011 on the file of the learned Principal Junior Civil Judge, Warangal. The petitioner suffered a decree in O.S.No.930 of 2007 on the file of the learned II Additional Junior Civil Judge, Warangal, and for cancellation of that decree the present suit was filed. In the present suit, the learned Principal Junior Civil Judge, Warangal, passed an order stating that the plaintiff has a remedy to prefer a revision against the order dismissing the application for setting aside the *ex parte* order. But, instead of pursuing the same, the present suit was filed. Accordingly, the plaint

was rejected. Challenging the same, the present Civil Revision Petition is filed.

Now the learned Counsel for the petitioner submits that the decree in O.S.No.930 of 2007 is a decree for permanent injunction and it does not bar the plaintiff from filing a suit for declaration of title and consequential injunction.

In view of the above, the order of the lower Court is upheld and the Civil Revision Petition is dismissed. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

21.12.2015

vs