

HON'BLE SRI JUSTICE R. SUBHASH REDDY

CIVIL REVISION PETITION No.2801 of 2015

ORDER :

This civil revision petition is filed under Article 227 of the Constitution of India, by the plaintiff in the suit in O.S.No.2194 of 2012, aggrieved by the order dated 31.03.2015, passed by the IX Junior Civil Judge, City Civil Court, Hyderabad, in I.A.No.484 of 2014.

The above suit is filed by the petitioner herein against the 1st respondent for injunction simplicitor. I.A.No.484 of 2014 is filed by the 2nd respondent-temple, through its Trustee, for impleadment as defendant No.2 in the said suit. Such an application is allowed by impugned order, dated 31.03.2015.

In this civil revision petition, it is contended by the learned counsel for petitioner that the suit schedule property in O.S.No.2194 of 2012 is handedover to the plaintiff through a panchanama by the competent officer of revenue department in pursuance of the proceedings issued by the Joint Collector, Hyderabad, vide proceedings dated 22.08.2009, issued in Proceedings No.B2/2682/2009, but, the Court below has allowed the implead petition filed by the 2nd respondent without recording valid reasons.

In the petition filed in I.A.No.484 of 2014, it is averred that the Trustee of the 2nd respondent-temple is appointed

as sole trustee of the temple by the Deputy Commissioner of Endowment Department, Hyderabad, vide Proceedings Rc.No.A2/0754/10, dated 19.02.2010, as such, he has to protect the temple land admeasuring Ac.5.05 gts. in Sy.No.32 of Asif Nagar, and hence, he is the authorized person to represent the temple.

Whether the plaintiff has acquired right to the land in question, is a matter to be resolved after trial in the suit. As much as it is pleaded that the land in question is a temple land and the 2nd respondent herein is a single trustee of the said temple, I do not find any illegality in the impugned order passed by the Court below, allowing the application filed by the 2nd respondent herein for impleadment.

For the aforesaid reasons, I do not find any merit in this revision petition filed under Article 227 of the Constitution of India and it is accordingly dismissed. No costs.

Pending miscellaneous applications, if any, shall stand closed.

R. SUBHASH REDDY, J

18th September 2015

ajr