

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

Civil Revision Petition No.1651 of 2015

Between:

Gunisetty Chandramouli

... Respondent/Defendant/Petitioner

and

Mukkamala Srinivasa Vasudeva Sharma.

... Petitioner/Plaintiff/Respondent

DATE OF JUDGMENT PRONOUNCED: 24.07.2015.

SUBMITTED FOR APPROVAL:

**THE HON'BLE SRI JUSTICE RAMESH
RANGANATHAN & HON'BLE SRI JUSTICE S. RAVI
KUMAR**

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

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

CIVIL REVISION PETITION No.1651 of 2015

ORDER:

This revision, under Article 227 of the Constitution of India, is preferred against the order passed by the I Additional District Judge, Visakhapatnam in I.A. No.264 of 2015 in O.S. No.204 of 2015 dated 07.04.2015.

I.A. No.264 of 2015 was filed under Order 38 Rule 5 C.P.C. to direct the respondent-defendant to furnish security for the suit amount of Rs.13,16,700/- with interest and costs. By its order dated 07.04.2015, the Court below directed the petitioner-defendant to furnish third party security for the suit amount of Rs.13,16,700/-.

Sri M. Karuna Sagar, Learned Counsel for the petitioner, would submit, not without justification, that, even though the prayer in the I.A. was for the petitioner to furnish security, the Court below had erred in directing him to furnish third party security. Learned Counsel would fairly state that the petitioner was ready to furnish security for the aforesaid amount; and that interference is required only because the Court below had directed him to furnish third party security.

Sri A.S.C. Bose, Learned Counsel for the respondent, would fairly state that, in as much as the request of the respondent-plaintiff before the Court below was only to direct the petitioner to provide security, it would suffice if the order of the Court below is modified; and, instead of third party security, the petitioner is directed to furnish security for the suit amount.

The order of the Court below is set aside. The petitioner shall, within two months from today, furnish security to the satisfaction of the Court below. The petitioner shall not alienate or create third party

rights on the property, till he furnishes security to the satisfaction of the Court below. The Civil Revision Petition is disposed of accordingly. The miscellaneous petitions pending, if any, shall also stand disposed of. No costs.

RAMESH RANGANATHAN, J

Date: 24.07.2015

MRKR