

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

CIVIL REVISION PETITION No.4883 of 2015

-

20.11.2015

Between:

Doddapaneni Dharma Rao

...Petitioner

And

Ch.Nagi Reddy and others

...Respondents

Counsel for the petitioner: Mrs.Jyothi Eswar Gogineni

Counsel for respondents: --

The Court made the following:

-

-

-

ORDER:

This civil revision petition arises out of the order, dated 22.06.2015, in I.A.No.375 of 2015 in S.O.P.No.421 of 2011 on the file of learned XI Additional District and Sessions Judge, Tenali.

The petitioner and respondent No.1 filed the aforesaid S.O.P. for the following reliefs:

“a) Direct the respondents 6 and 7 to call for the general body meeting of the members and to conduct elections of the society at an early date;

b) For costs of this petition; and

c) For such other reliefs which are deem fit and proper under the circumstances of the case.”

They filed the aforesaid I.A. under Order VI Rule 17 C.P.C. for amendment of the S.O.P. by adding several prayers. This application was dismissed by the lower Court by the order under revision.

As could be seen from the original prayer in the S.O.P., the substantive relief claimed by the petitioner and respondent No.1 is for conducting elections by calling for a general body meeting. Admittedly, the general body meeting was subsequently held and elections were conducted. Therefore, as rightly pointed out by the lower Court, the purpose for which the S.O.P. was filed was served. In other words, the S.O.P. has outlived its purpose. When no further adjudication in the S.O.P. remained, the petitioner cannot seek revival of the same by claiming fresh reliefs. Therefore, he cannot be permitted to do so and instead, the appropriate course for him is to question the result of the elections and any other dispute that may persist between him and respondent No.7.

Subject to the above observations, the Civil Revision Petition is dismissed.

As a sequel to dismissal of the civil revision petition, C.R.P.M.P.No.6564 of 2015 filed by the petitioner for interim relief shall stand dismissed as infructuous.

(C.V.NAGARJUNA REDDY, J)

20th November, 2015

GHN