

**THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO**

**CIVIL REVISION PETITION No.1564 of 2015**

**ORDER:**

The defendant in O.S. No.27 of 2011 on the file of the Court of the learned Junior Civil Judge, Gajapathinagaram, Vizianagaram District, is the petitioner herein. The respondent herein filed the said suit for declaring him as owner of the plaint schedule property of an extent of Ac.4.72 cents in Survey No.108/2 situated in Andra Village, Mentada Mandal, Vizianagaram District. The plaintiff valued the suit at Rs.10,000/- per acre and calculating  $\frac{3}{4}$ <sup>th</sup> of the market value, he mentioned Rs.42,900/- as the value for the purpose of jurisdiction and Court fee. A written statement was filed by the petitioner herein and a preliminary issue was framed by the Court that whether the Court has got territorial or pecuniary jurisdiction to try the suit. PWs 1 to 3 were examined by the plaintiff and exhibits X1 to X7 were marked. PW1 is the Sub-Registrar whereas PW2 is the Tahsildar and PW3 is the District Registrar. It appears that the suit schedule land is an assigned land, for which no market value can be fixed. After appreciating the evidence adduced by PWs 1 to 3, the lower Court upheld the market value, accepted by its predecessor in office as Rs.70,000/-, and accordingly, held the issue in favour of the plaintiff. Challenging the said finding, the present Civil Revision Petition was filed.

In view of the evidence recorded and the appreciation of said evidence by the trial Court, I do not see any ground to interfere with the same.

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

Miscellaneous Petitions, if any, pending in this Civil Revision Petition shall stand closed.

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**A.RAMALINGESWARA RAO, J**

01.12.2015

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Date: 01.12.2015

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