

HON'BLE SRI JUSTICE R.KANTHA RAO

Civil Revision Petition No.719 of 2015

Date: 20-3-2015

Between

Talam (Pamarthi) Bhagyam

... Petitioner/

Judgment Debtor No.1

and

Talam Kausalya

... Respondent/

Decree Holder

Thonata Satyavathi

... Respondent/

Judgment Debtor No.2

HON'BLE SRI JUSTICE R.KANTHA RAO

Civil Revision Petition No.719 of 2015

Order:

Heard Sri Siva Sankara Rao Borra, learned counsel appearing for the petitioner.

2. This civil revision petition is directed against the order dated 22-12-2014 passed in E.A.No.972 of 2014 in E.P.No.343 of 2010 in O.S.No.96 of 2005 on the file of the I Additional Junior Civil Judge, Eluru, West Godavari district.

3. In the execution whereunder the delivery of the property was sought, the petitioner-judgment debtor No.1 filed I.A.No.972 of 2014 seeking appointment of Commissioner to note down the physical features and other particulars of the property with the help of the Mandal Surveyor. The trial Court dismissed the petition holding that the petitioner while contesting the original suit, has specifically admitted that there are no discrepancies with regard to the boundaries and that the petitioner cannot file the petition in execution proceedings as the executing Court already gave a clear direction to the Bailiff to execute the Warrant after proper identification of the schedule property. This Court is of the view that the learned executing Court did not commit any jurisdictional error while dismissing the petition.

4. Hence, the civil revision petition is dismissed at the stage of admission confirming the impugned order. The miscellaneous petitions, if any, pending in this revision shall stand closed. No costs.

R.KANTHA RAO, J.

20th March, 2015.

Ak

HON'BLE SRI JUSTICE R.KANTHA RAO

Civil Revision Petition No.719 of 2015

20th March, 2015.

(Ak)