

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CIVIL REVISION PETITION NO.6477 OF 2012

DATED 24TH FEBRUARY, 2015

Between:

Gandasiri Venkataiah

... Petitioner

and

Gandasiri Yellaiah and others

... Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CIVIL REVISION PETITION NO.6477 OF 2012

ORDER

This civil revision petition arises out of the order dated 08.10.2012 passed by the learned Principal Junior Civil Judge, Warangal, dismissing I.A.No.1266 of 2009 in O.S.No.1729 of 2002.

The said IA was filed by the defendant in the suit for police aid under Section 151 CPC for the purpose of surveying and demarcating the land in Sy.No.78 of Nashkar Shivar. Admittedly, the proposed survey was not based on any Court order but upon the application made by the petitioner/defendant to the Assistant Director of Survey and Land Records, Warangal. This application was no doubt inspired by the observation made in the order dated 28.02.2008 passed by this Court in C.R.P.No.405 of 2008. It appears that upon the said application, the Assistant Director of Survey and Land Records appointed an Inspector/Surveyor to undertake a survey but the said survey could not be completed owing to obstruction by certain persons. It is on this basis that the petitioner/defendant approached the Court below seeking police aid.

Taking note of the aforestated facts and, more particularly, the fact that the survey was not being undertaken pursuant to a Court order, the Court below refused to grant the relief sought and dismissed the IA. This Court sees no reason to interfere with the cogent order passed by the Court below. The admitted position is that the subject survey was unconnected with the Court proceedings and therefore, the endeavour of the petitioner/defendant to seek police aid from the Court for completion

of the survey was utterly misconceived.

The civil revision petition is devoid of merit and is accordingly dismissed. Pending miscellaneous petitions shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

24th FEBRUARY, 2015

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