

HON'BLE SRI JUSTICE P. NAVEEN RAO
CIVIL REVISION PETITION NOS. 4700, 4703, 4752
& 4753 OF 2015

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COMMON ORDER:

Revision petitioners are the plaintiffs in O.S.Nos. 144, 153, 145 & 152 of 2010 on the file of Senior Civil Judge, Gooty, Ananthapur District. The said suits were filed for permanent injunction, restraining the defendant and his men (defendant is common in all the suits) from interfering with the plaintiffs' peaceful possession and enjoyment of the plaint schedule property with costs. Suits were decreed against the defendant. The plaintiffs filed EP Nos. 75, 76, 77 & 78 of 2015 and in that E.Ps, they preferred E.As (CF Nos. 4654, 4657, 4649 & 4651 of 2015) under Section 151 CPC, seeking to grant police aid in protecting the interest of the party. Those E.As were returned by an endorsement dated 14.10.2015 to specify the maintainability of such applications. The same was represented stating that the Court is competent to grant relief under Section 151 CPC. However, E.As were returned on 29.10.2015 observing that the objection was not complied with properly and to comply within the time frame of seven days. Challenging the same, these

Revision Petitions filed.

The grievance necessitating the petitioners to come before this court is that the Court below is not entertaining the E.As praying to grant police protection and respondents are illegally interfering and threatening the petitioners to demolish the property of the petitioners.

When the matter is taken up for hearing, the learned counsel representing the respondent/defendant fairly contended that the Court below can be directed to register the E.As and the matter can be taken up by the Court below by overruling the objection.

Learned counsel for the petitioners sought to contend that the interim order passed by this Court may be continued by granting some more time.

Since the Revisions are filed aggrieved by the non-registration of E.As by the Court below and the counsel for the respondent fairly agrees for the registration of E.As, I am not inclined to grant any order at this stage. All these Revisions are disposed of directing the Senior Civil Judge, Gooty, Ananthapur District, to register and consider the E.As after giving due opportunity to both sides and pass appropriate orders. E.As shall be taken up immediately and the respondent shall appear on the day fixed for hearing of E.As and he shall make his submissions for the purpose of consideration of direction sought in the E.As. The Court below shall consider and

pass appropriate orders as expeditiously as possible, preferably within a period of two weeks from the date of receipt of the order. It is made clear that the respondent/defendant shall cooperate and does not seek any further time on the day fixed by the Court below. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

P. NAVEEN RAO, J

Date: 08.12.2015

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