

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

FRIDAY THE TWENTYSEVENTH DAY OF NOVEMBER
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE S.V. BHATT

CRP.NO. 4990 OF 2015

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Between:

Thumma Tirupalalaiah
@ Sundaraiah & Ors. ... Petitioners/Defendants

V/s.

Nakka Paran Jyothi ... Respondent/Plaintiff

Counsel for the Petitioners : Sri P. Sridhar Reddy

Counsel for the Respondent: None appeared

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE S.V. BHATT

ORDER:

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Heard learned counsel for the petitioner.

2. The defendants in OS.No.45 of 2014 in the court of Junior Civil Judge, Kota, SPSR Nellore district are the Revision Petitioners. The defendants invoke the jurisdiction of this Court under Article 227 of the Constitution of India contending that the numbering and continuation of suit in OS.No. 45 of 2014 is illegal, impermissible under the AP Societies Registration Act, 2001 and the suit is liable to be rejected.

3. It is admitted that the Revision Petitioners have filed

I.A.No. 73 of 2015 for the following relief:

Frame the following issue i.e., "whether this Hon'ble court is having jurisdiction to entertain the suit which is based on disputes with regard to the management of the societies registered under the Societies Registration Act, 2001", as preliminary issue and decide the same prior going to the merits of the case and grant such other and further reliefs, which are deemed fit and proper in the circumstances of the case."

4. At the time of hearing, learned counsel for the Revision Petitioners makes alternative submission as well that the petitioners would be satisfied if the trial court is directed not only

to consider passing appropriate order in I.A.No.73 of 2015 but pass appropriate orders on the proposed issue as expeditiously as possible preferably within a period of three months from the date of receipt of a copy of this order.

5. I have perused the prayer in I.A.No. 73 of 2015. Since an effort is already made to get proper issue framed by the trial court and have the grievance sorted out, it is in the fitness of things to direct the trial court to dispose of I.A.No. 73 of 2015 expeditiously if the prayer is accepted then consider and pass appropriate orders on the issue so framed in accordance with law after giving fair opportunity to the plaintiff/respondent herein.

6. Civil Revision Petition is ordered. No order as to costs.

5. As a sequel, miscellaneous petitions if any, pending in this Civil Revision Petition shall stand closed.

JUSTICE S.V. BHATT.

27/11/2015
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HONOURABLE SRI JUSTICE` S.V. BHATT

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