

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD

**FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

**MONDAY, THE SECOND DAY OF MARCH TWO THOUSAND
AND FIFTEEN**

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Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

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CIVIL REVISION PETITION No.1605 of 2014

Between:

Shaik Moddin Sab (died per LRs 2 and 3),
S/o. Reddi Sab, Muslim,
R/o. Door No.1-471/2,
Railway Station Road,
Kadiri, Kadiri Mandalam & 6 others

.. Petitioners

AND

Shaik Jaffar Hussain (died),
Rep. by LR Katam Madhavi,
W/o. Brahmaiah, Aged about 53 years,
Hindu, R/o. D.No.451-452,
G.K. Shanti Niketan Defence Colony,
Secunderabad, Sainikpuri, Hyderabad,
Rep. by her General Power of Attorney Holder
Vundela Raja Reddy.

.. Respondent

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

CIVIL REVISION PETITION No.1605 of 2014

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ORDER:

E.P.No.46 of 2014 is filed for execution of decree in O.S.No.353 of 1989, on the file of the Principal Junior Civil Judge, Kadiri, Anantapur District. In the said E.P., E.A.No.283 of 2014 is filed seeking leave of the Court to permit Vundela Raja Reddy to appear and act on behalf of the petitioner Katam Madhavi as her General Power of Attorney holder in the E.P.No.46 of 2014 in O.S.No.353 of 1989. By the order, dated 07.04.2014, the Principal Junior Civil Judge, Kadiri, allowed the General Power Attorney holder to represent on behalf of the petitioner. Though this civil revision petition is filed challenging the order allowing the General Power of Attorney holder to represent the petitioner, the grounds urged are on maintainability of E.P. and competency of Katam Madhavi to file E.P.

2. Insofar as the E.P. is concerned, only a notice is issued. Whatever objections the petitioner has with reference to entertainment of E.P. and representation by his General Power of Attorney holder are always open to the petitioner to raise before the Court below. But without raising objections, the petitioner cannot invoke the jurisdiction of this Court and stall the E.P. proceedings.

3. Having regard to the same, the Civil Revision Petition is dismissed leaving it open to the petitioner to raise all objections that are available to him before the Court below against entertainment of E.P. and on merits. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this civil revision petition shall stand closed.

RAO, J

P.NAVEEN

Date: 2nd March, 2015

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CIVIL REVISION PETITION No.1605 of 2014

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Date: 2nd March, 2015

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