The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Civil Revision Petition No.1788 of 2015

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Dated 01.05.2015

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Between:

M/s.Potla Shanthi Educational Society
rep. by its President Sri Potla Nageswar Rao
and another

... Petitioners

and

Sri Madugula Anjan Kumar Goud

...Respondent

Counsel for the petitioners: Mr.V.Ravi Kiran Rao

Counsel for the respondent: ---

The Court made the following:

Order:

This Civil Revision Petition arises out of Order, dated 15-10-2014, in CMA.No.148 of 2012, on the file of the Court of the learned II

Additional District & Sessions Judge, Ranga Reddy District, L.B.Nagar, whereby he has confirmed order, dated 15-11-2012 in IA.No.320 of 2012 in OS.No.150 of 2012, on the file of the Court of the learned Additional Junior Civill Judge, Ranga Reddy District at Hayathnagar.

I have heard Mr.V.Ravi Kiran Rao, learned Counsel for the petitioners, and perused the record.

The petitioners have filed the above-mentioned suit for perpetual injunction against the respondent in respect of the suit schedule property Pending the suit, they have filed IA.No.320 of 2012 seeking temporary injunction. The said IA was dismissed by the trial Court, which was confirmed in the CMA, filed before the lower appellate Court.

A perusal of the orders under revision shows that, on appreciation of the documentary evidence filed by both the parties, both the Courts below have concurrently found that the petitioners have failed to establish their *prima facie* case. Therefore, this Court, while exercising its supervisory jurisdiction under Article 227 of the Constitution of India, cannot re-appreciate the evidence and arrive at a different conclusion on the facts of the case. Hence, I do not find any reason to interfere with the orders of the Courts below. However, since the suit is filed for injunction simplicitor and is pending for more than 2½ years, the lower Court is directed to dispose of the same positively within six months from the date of receipt of this order.

Subject to the above direction, this Civil Revision Petition is dismissed.

As a sequel to dismissal of the Civil Revision Petition, CRPMP.No.2386 of 2015, filed by the petitioners for interim relief, is disposed of as infructuous.

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(C.V.Nagarjuna Reddy, J)

Dt: 1st May, 2015

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