

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

CIVIL REVISION PETITION No. 5097 of 2014

ORDER:

Heard learned counsel for the revision petitioner. With the consent of petitioner's counsel, this revision is being disposed of at the admission stage.

2. The revision petitioner is the defendant in O.S.No.93 of 2010 on the file of the Junior Civil Judge, at Ramannapet. The respondents herein, who are the plaintiffs, filed the said suit seeking permanent injunction. Along with the suit, they filed I.A.No.543 of 2010 seeking temporary injunction, and the said I.A. was allowed by order dated 07.09.2012. Challenging the order in the I.A., the revision petitioner preferred an appeal before the Senior Civil Judge, at Bhongir, in C.M.A.No.17 of 2012. The learned Senior Civil Judge, by order dated 11.09.2014, dismissed the appeal. Challenging the dismissal, the revision petitioner came up with the present revision petition.

3. The Courts below concurrently held that the respondents are entitled for temporary injunction and the suit itself was filed for permanent injunction in respect of the plot admeasuring 363 Sq.yards in Survey No.199/A2 with 100 Sq.feets plinth area covered with asbestos sheet roof, and 188 Sq. yards in Survey Nos.215/A1 and A2 totalling 551 Sq. yards with 222 running feet of compound wall, Block No. III (b) Sri Rama Temple to S. Bixapathi House, residential zone, situated at Choutuppal village and mandal, Nalgonda district.

4. In view of the concurrent finding of the Courts below, with regard to title and possession of the respondents, I am not inclined to entertain the present civil revision petition; but, in view of the nature of suit, the learned Junior Civil Judge, at Ramannapet, is directed to dispose of the suit itself on priority basis, preferably within a period of

six months from the date of receipt of a copy of this order. The revision petitioner shall cooperate for the disposal of the suit.

5. Subject to the above observations, the civil revision petition is dismissed. No order as to costs.

Miscellaneous petitions, if any, pending in this civil revision petition shall stand closed.

A. RAMALINGESWARA RAO, J

23rd January, 2015

KSM