

HON'BLE SRI JUSTICE S.V.BHATT
CIVIL REVISION PETITION No.3256 of 2015

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ORDER:

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The appellant in A.S.No.51 of 2009 in the Court of the
I Additional District Judge, Nellore is the revision
petitioner. The appellant being aggrieved by the judgment and
decree in O.S.No.109 of 2007 in the Court of the Senior Civil
Judge, Nellore has filed the instant appeal. The original defendant
one Degapudi Venku Reddy died on 10.01.2012. Eruvuru Venku
Reddy S/o.Srinivasulu Reddy, claiming to be the Secretary of
Konda Sankar Reddy and Mahalakshamma Arts and Science
Junior College and Degree College, Northrajupalem, filed
I.A.No.101 of 2015 in A.S.No.51 of 2009 one in the nature of
substitution of Degapudi Venku Reddy. Learned I Additional
District Judge having regard to the nature of controversy pending
for decision in the appeal, allowed the I.A. and permitted Eruvuru
Venku Reddy to come on record as respondent No.2. Hence, this
revision.

Sri P.Gangarami Reddy, learned counsel for the petitioner,
contends that the learned appellate Judge ought not to have
permitted Eruvuru Venku Reddy firstly to come on record and
secondly that when steps are taken by filing I.A.No.101 of 2015 to
amend cause title and also bring on record the members of
Society, the appellate Court instead of ordering I.A.No.101 of 2015
ought to have passed comprehensive orders in all the pending
applications which are filed with the demise of Degapudi Venku
Reddy.

I have carefully considered the twin objections taken by the
learned counsel for the petitioner. *Prima facie*, I am of the view

that the first objection against inclusion of Eruvuru Venku Reddy through the order impugned does not suffer from any infirmity. As regards the other objection that the learned appellate Judge ought to have disposed of the applications filed by the revision petitioner needs reference and accordingly to ensure proper representation of the members of the Society, the appellate Court is directed to consider and dispose of I.A.Nos.107 and 341 of 2014 in A.S.No.51 of 2009 filed by the revision petitioner herein to bring on record the members of the Society as early as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. Thereafter, the appellate Court shall dispose of A.S.No.51 of 2009 preferably within two months from the date of receipt of a copy of this order.

With the above observations, the C.R.P. is dismissed.
There shall be no order as to costs.

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

S.V.BHATT,J

Dt:21.08.2015

Note: Issue cc in one week.
kdl