

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

CIVIL REVISION PETITION No.2636 of 2015

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Between:

Tummala Bhaskara Rao

...Petitioner

and

Chilamkuri Ratnamala and another

...Respondents

DATE OF JUDGMENT PRONOUNCED: 11.09.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment
may be marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

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...Respondents

**COUNSEL FOR THE PETITIONER : Ms. DEEPTI ANAND
FOR MR. P.VIKRAM**

COUNSEL FOR THE RESPONDENTS : NONE APPEARS

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

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ORDER:

This Civil Revision Petition arises out of order, dated 08.04.2015 in I.A.No.249 of 2015 in O.S.No.469 of 2013 on the file of the learned Principal Junior Civil Judge, Guntur.

I have heard learned counsel for the petitioner. No one appeared for the respondents.

The petitioner, who claims to be the tenant of the respondents, filed the above-mentioned suit for perpetual injunction restraining the respondents from interfering with his peaceful possession of the suit schedule property. He has also secured temporary injunction pending the suit. He has filed the above-mentioned I.A. for a direction to the respondents to restore electricity connection to the petitioner's shop. He has filed an affidavit in support of the said application wherein it is alleged that after the temporary injunction order was made absolute on 28.01.2014, on 11.08.2014, the respondents along with their men came to his shop and demolished back side building of his shop, by using demolishing instruments and also demolished the upstairs of his shop. That the petitioner's electricity connection was also illegally removed by the respondents without any information to him and later, it was restored by giving connection from Agarbatti shop. That the petitioner filed I.A. to punish the respondents for willful breach of interim order and that once again, the respondents have committed breach of injunction order by removing the electricity connection.

The respondents have filed a counter-affidavit wherein they have denied disconnection of electricity supply.

Except filing of the affidavit, no evidence was adduced by the petitioner to show that the respondents have disconnected the

electricity supply. As rightly observed by the Court below, the details as to the date on and time at which the electricity supply was disconnected, have not been furnished. In the absence of any evidence relating to the source from which the petitioner was earlier supplied electricity and the proof of disconnection of electricity supply, he is not entitled to an interim order. At any rate, the relief claimed in I.A.No.249 of 2015 traverses far beyond the scope of the prayer in the suit itself. Therefore, as observed by the lower Court, the petitioner is entitled to avail a fresh remedy based on the alleged fresh cause of action, namely, disconnection of power supply, by raising appropriate pleadings and adducing evidence in support thereof.

Subject to the above observations, the Civil Revision Petition is dismissed.

As a sequel to dismissal of Civil Revision Petition, CRP.MP.No.3533 of 2015 filed by the petitioner for interim relief is disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

11th SEPTEMBER, 2015.

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