

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

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CIVIL REVISION PETITION No.2956 of 2015

ORDER:

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This civil revision petition under Article 227 of the Constitution of India by the petitioners/appellants in CMA.No.10 of 2011 on the file of the learned Principal Senior Civil Judge at Kothagudem is filed requesting to allow this civil revision petition and direct the Court below to dispose of the above-mentioned CMA as expeditiously as possible.

2. Heard the submissions of the learned counsel for the revision petitioners. Perused the material record.

3. The petitioners herein are the plaintiffs in the suit – OS.No.187 of 2011 on the file of the learned Principal Junior Civil Judge at Kothagudem. They had brought the said suit for a perpetual injunction. In that suit, they had also filed an interlocutory application seeking temporary injunction. The trial Court had disposed of the said application on merits directing both the parties to maintain status quo until further orders. Aggrieved of the said orders, the above said CMA was preferred and it is pending before the Court below. No interim order was granted by the Court below in the pending CMA. Since the CMA is pending since 2011 and is not being disposed of and as no interim order was also granted the revision petitioners are aggrieved. Therefore, they pray for a direction to the Court below to expeditiously decide the said CMA.

4. Having regard to the facts and the submissions, this Court is satisfied that it is a fit case to dispose of the CRP at the admission stage.

5. In the result, the Civil Revision Petition is allowed and the learned Principal Senior Civil Judge at Kothagudem is directed to decide the CMA.No.10 of 2011 on merits as expeditiously as possible and preferably within 45 days from the date of receipt of a copy of this order. There shall be no order as to costs.

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

M. SEETHARAMA MURTI, J

14th October 2015

Vjl