

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

Civil Revision Petition No.1592 of 2016

ORDER:

-
-

In this civil revision petition under Article 227 of the Constitution of India, the only grievance of the revision petitioner/plaintiff in the proposed suit-OS(SR).no.1 of 2016 filed before the Agent to Government (District Collector), Khammam is that though the suit is instituted on 05.03.2016, the suit bundle is neither returned with office objections giving time for compliance nor was the suit numbered.

2. I have heard the learned counsel for the revision petitioner/plaintiff in the proposed OS(SR).no.1 of 2016. I have perused the material record.

3. The learned counsel for the revision petitioner would submit that though the suit was instituted as early as in March, 2016, the suit is not yet numbered by the learned Agent to Government (District Collector), Khammam. He, therefore, seeks a direction to the learned Agent to Government (District Collector), Khammam to register the suit and the interlocutory application filed for grant of a temporary injunction, after due verification of the same.

4. From the material papers, it appears that the suit was instituted on 05.03.2016 seeking the following reliefs against the defendants therein:

'a) to direct the defendants no.1 to 33 to sell the 533 Trees to the plaintiff in terms of the mutual understanding Agreement executed by them in favour of the plaintiff on 3-4-2012 and 30-7-2012 in view of permission granted by Hon'ble High Court of A.P in WP.no.24261/ 2014 dated 27-1-2015;

b) To issue injunction, restraining the defendants No.34 to 37 either from selling the Trees or from paying the amounts to the defendants No.1 to 33, till fulfilling the Mutual Understanding Deed by the defendants No.1 to 33;

c) to award costs of the suit; and

d) to grant any other relief or reliefs, which the Hon'ble Court may deems fit and proper in the circumstances of the case.

[Reproduced verbatim]

As per the submissions, along with the suit, an interlocutory application is also filed for grant of a temporary injunction.

5. Having regard to the submissions, this Court is satisfied that this revision petition can be disposed of with appropriate directions.

6. In the result, the Civil Revision Petition is disposed of directing the learned Agent to Government (District Collector), Khammam to verify OS(SR).no.1 of 2016 and also the Interlocutory Applications, if any, filed along with the suit said to have been instituted by the revision petitioner and register the same, if the same are otherwise in order, in accordance with the procedure established by law. The learned Agent to Government (District collector), Khammam shall complete this exercise within a period of two (02) weeks from the date of the receipt of a copy of this order.

There shall be no order as to costs.

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

M. SEETHARAMA MURTI, J

26th April, 2016

Note: Issue CC by 27.04.2016

(B/o)

Vjl