

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CIVIL REVISION PETITION No.4209 OF 2015

DATED : 03.02.2016

Between :

1. Paraa Anjinaiah died by his L.Rs.,
2. Para Venkatamma (died)
3. Para Venkatamma died by L.Rs
4. B. Ramanjulamma W/o.Late Venkatappa,
aged about 55 yrs, D.No.13-258, C.B.Road,
Tadpatri Town, Anantapur District.

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Petitioners

And

Tirumala Reddy died by his L.Rs
1. T. Obulamma (died)
2. T.Venkata Siva Reddy S/o.Thirumala Reddy,
Aged about 50 yrs, R/o.Kodur village,
Railway Kondapuram Mandal,
Kadapa District
Now residing at Tadipatri

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Respondents

This court made the following :

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ORDER :

Petitioners herein are the judgment debtors. Petitioners challenge the order passed in E.A.No.229 of 2011 in E.P.No.10 of 2005 in O.S.No.21 of 1986 by the Senior Civil Judge, Gooty.

2. The order of the Senior Civil Judge, Gooty disclose that draft sale deed was filed on 23.03.2007 as part of the execution of decree. There were no measurements in the decree schedule and E.P. Schedule and the decree holder mentioned the measurements in the draft sale deed. The Court below ordered to file copy of the proposed sale deed by order dated 10.09.2007. The draft sale deed was filed by the Advocate on record. This is objected to by the petitioner.

3. When the matter is taken up, learned counsel representing the respondents also fairly submits that the draft sale deed could not have been filed by the Advocate on record.

4. Having regard to the same, the order under Revision is set aside and the matter is remitted to the Senior Civil Judge, Gooty, for consideration on the issue of filing of draft sale deed, as ordered on 10.09.2007.

5. Accordingly, the Civil Revision Petition is allowed. There shall be no order as to costs.

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

P.NAVEEN RAO,J

3rd February, 2016
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