

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

CIVIL REVISION PETITION No.3924 of 2015

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, by the petitioners/third parties, is directed against the order dated 22.07.2015 of the learned Special Officer – cum – Principal Junior Civil Judge, Amalapuram, passed in I.A.No.405 of 2012 in ATC No.9 of 2011 filed under Order I Rule 10 of the Code of Civil Procedure, 1908, requesting to implead the petitioners/third parties as respondents 11 and 12 in the aforesaid Andhra Tenancy Case.

2. I have heard the submissions of Sri P.Srinivasa Rao, the learned counsel for the petitioners and Sri Srinivas Basava, the learned counsel appearing for the 1st respondent. Amongst the other respondents, some are served with notices and some are yet to be served. I have perused the material record.

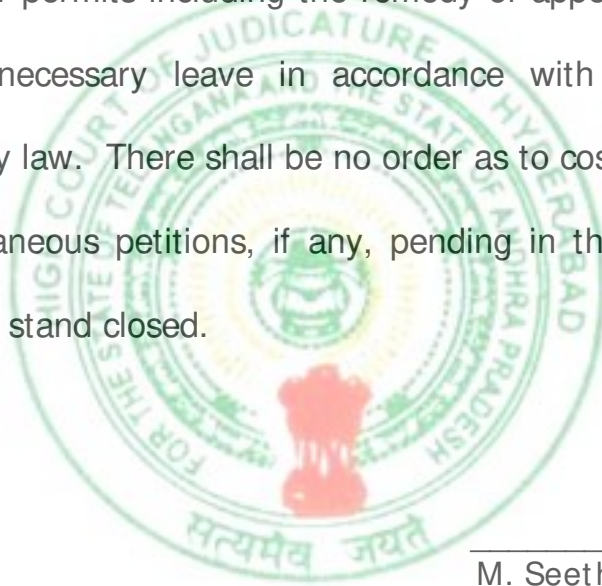
3. At the hearing, the learned counsel for the first respondent brought to the notice of this Court, the order dated 05.10.2015 of the Special Officer passed in ATC No.9 of 2011, whereby, the ATC was disposed of and submitted that the revision has become infructuous as no cause survives for adjudication in the revision.

4. However, the learned counsel for the petitioners/third parties would submit that the order obtained by the parties in ATC No.9 of

2011 is a collusive order and that therefore, while disposing of the CRP, the third parties may be given liberty to either file an appeal after seeking leave or file any other proceeding, which the law permits.

5. Recording the submissions of the learned counsel for both the sides and taking note of the fact that the ATC was already disposed of, this Civil Revision Petition is dismissed as infructuous, however, reserving liberty to the petitioners herein to pursue the remedies, which the law permits including the remedy of appeal, if necessary, by seeking necessary leave in accordance with the procedure established by law. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Civil Revision Petition, shall stand closed.



21st December, 2016
Bvv

M. Seetharama Murthi, J