

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CIVIL REVISION PETITION NO.4931 OF 2010

ORDER:

This civil revision petition under Section 115 of the Code of Civil Procedure is filed challenging the rejection of plaint in O.S.SR.No.1131 of 2010 dated 16.08.2010 on the file of Junior Civil Judge, Ibrahimpatnam, on the ground that the respondent has not complied with the provisions of The Telangana Rights in Land and Pattadar Pass Books Act 1971, the order under challenge is by exercising power under Order VII Rule 11 of C.P.C.

This Court took an objection about maintainability of revision under Section 115 of C.P.C, as it is a decree within the meaning of Section 2(d) of C.P.C and an appeal lies against decree under Section 96 read with Order XLI Rule 1.

In view of the judgment of this Court reported in **Molugu Ram Reddy S/o. Late M. Narasimha Reddy, Molugu Uma Reddy S/o. Late M. Malla Reddy, Molugu Sanjeeva Reddy S/o. Late Yella Reddy and Molugu Jaswanth Reddy @ Dasmantha Reddy Vs. Molugu Vittal Reddy, S/o. M. Ranga Reddy and Ors¹**, revision is not maintainable under Order V Rule 7 C.P.C.

Hence, the civil revision petition is dismissed as not maintainable. However, it is left open to the revision petitioners to challenge the rejection of plaint, if he is legally entitled.

Consequently, miscellaneous applications pending if any shall also stand dismissed. No costs.

JUSTICE M. SATYANARAYANA MURTHY

Date:30.09.2016
SP

¹ 2011 (5) ALD 572 FB