

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN

Civil Revision Petition No.3554 of 2016

Order:

The revision arises out of an order of interim injunction granted by the Trial Court and confirmed on appeal by the Additional District Court.

2. Heard Mr. T.Durga Prasad Rao, learned counsel for the petitioner.

3. In a suit for specific performance of an agreement of sale, the Trial Court granted an interim order of injunction protecting the possession of the plaintiffs, on the basis of the adangal extract relating to Fasli 1421. The same was confirmed on appeal by the District Court.

4. The main grievance of the petitioner is that the original agreement of sale, the execution of which was denied by the petitioner/defendant, was impounded and sent to the Collector. When the same has not been marked as a document, the Court could not have granted injunction. The additional grievance of the petitioner is that the suit agreement is stated to be of the year 1994, but the adangal for Fasli year 2010 alone was filed.

5. I have carefully considered the contentions.

6. The suit is of the year 2010. Two Courts have granted an interim order of injunction, *prima facie* on the ground that the agreement is titled as a possessory agreement. Though the petitioner denies having executed the agreement, the same is a matter for trial. Therefore in a revision, I do not wish to interfere with the two concurrent orders of interim injunction. Therefore, the revision is dismissed. However, the Trial Court shall dispose of the suit, as it is

The miscellaneous petitions, if any, pending in this revision shall stand closed. No costs.

05th August, 2016.
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