

HON'BLE SRI JUSTICE S. RAVI KUMAR

CIVIL REVISION PETITION No.353 of 2016

ORDER:

This revision is preferred challenging orders dated 27.06.2015 in CMA No.30 of 2014 on the file of V Additional District Judge, Medak at Sanga Reddy.

2. Revision petitioner herein is defendant in O.S.No.140 of 2014 which is filed by respondent herein for the relief of permanent injunction and in the said suit he filed I.A.No.703 of 2014 for temporary injunction and the trial Court on a consideration of material produced before it, granted interim injunction restraining revision petitioner herein from interfering with the enjoyment of plaint schedule property. Aggrieved by the same, revision petitioner preferred appeal to the District court and V Additional District Judge, Medak at Sanga Reddy on a reappraisal of material on record, confirmed the interim injunction granted by the trial court. Now aggrieved by the same, present civil revision petition is preferred.

3. Heard arguments

4. Learned counsel for revision petitioner submitted that both the Courts failed to appreciate the contention of petitioner that he is illitom son-in-law of respondent herein and he has been looking after agricultural operations of plaint schedule land since last 40 years and he has

produced documentary evidence to show that he has been attending to agricultural operations. But both the Courts have not considered the contention of revision petitioner herein, accepted the version of respondent herein and granted temporary injunction, which is illegal.

5. I have perused the material papers including orders of both the Courts. There is no dispute with regard to relationship between the parties. Admittedly, respondent herein has got two daughters and he has no male issues and revision petitioner herein is the husband of second daughter. According to pleadings, revision petitioner herein was taken as illitom son-in-law as per the custom and practice, he has to be treated as son for all practical purposes, and as such, he has every right over the suit schedule property. But the documents produced on behalf of respondent herein *prima facie* show that he is the owner of the property and all the pahanis are in his name and he is in enjoyment of the suit schedule property. Respondent herein also produced passbook showing his enjoyment. The only documents relied on by the revision petitioner herein are the receipts for purchase of pesticides and those documents cannot confer any right on the revision petitioner and both the Courts on a satisfaction of *prima facie* case and balance of convenience granted interim injunction pending disposal of the suit and there is neither illegality nor wrong appreciation of material by both the courts.

6. From the submission of advocate for revision petitioner, it appears that partition suit in O.S.No.327 of 2013 on the file of Senior Civil Judge, Medak at Sanga Reddy is already filed and the same is pending and the parties can agitate their legal rights in that comprehensive suit.

7. For these reasons, I am of the view that there are absolutely no grounds in the revision and that revision is devoid of merits.

8. Accordingly, this Civil Revision Petition is dismissed at admission stage. No costs. Miscellaneous petitions, if any pending, in this Appeal shall stand closed.

S. RAVI KUMAR, J

Date: 29-01-2016.

gvl