

**\* THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**+ CIVIL REVISION PETITION No.2744 OF 2016**

% 01.07.2016

# Maramreddy Venka Reddy

....Petitioner

v.

\$ Sanneboina Prasad and others

....  
Respondents

**! Counsel for the Petitioner:** Sri T.Ravi Kumar

**Counsel for Respondents:** None appeared

<Gist :

>Head Note:

? Cases referred:

**THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM**  
**CIVIL REVISION PETITION No.2744 OF 2016**

**ORDER:**

This Civil Revision Petition is filed complaining inordinate delay in passing orders in I.A.No.717 of 2015 in O.S.No.184 of 2015 by the Principal Junior Civil Judge, Kavali.

It is the case of the petitioner that as the respondents are interfering with his possession and enjoyment of the plaint schedule property, he filed the suit seeking permanent injunction and along with the suit, he also filed I.A.No.600 of 2015 under Order IXV Rules 1 and 2 of the Code of Civil Procedure seeking grant of temporary injunction. *In spite* of time granted, the respondents-defendants did not choose to file counter and contest the I.A. and thus orders came to be passed in said I.A. on 11.12.2015 by allowing the prayer of the petitioner. *In spite* of orders in I.A.No.600 of 2015, respondents were continuing to disturb the possession and enjoyment of the petitioner, as such, petitioner filed I.A.No.717 of 2015 seeking police protection. In said I.A., petitioner side arguments were completed on 24.03.2016 and since then the matter is coming up for respondents' arguments and on one ground or the other Court below is adjourning the matter, which is nothing but helping the respondents-defendants, who violated the orders of the Court and thereby disturbing the possession and enjoyment of the petitioner.

Having considered the material on record, more particularly from the docket proceedings in I.A.No.717 of 2015, it is evident that said I.A. was filed on 23.12.2015, the matter was listed on 31.12.2015, 15.02.2016, 16.02.2016, 18.02.2016, 23.02.2016, 25.02.2016,

01.03.2016, 08.03.2016 and petitioner side arguments were completed on 14.03.2016. Subsequently, the matter was directed to be listed on 24.03.2016, as respondents were not ready. Thereafter, respondents have filed I.A.No.127 of 2016 seeking restoration of I.A.No.600 of 2015 and the said I.A. was dismissed for non-payment of costs on 18.04.2016. Thereafter, respondents filed I.A.No.158 of 2016 seeking re-opening of I.A.No.127 of 2016 and I.A.No.159 of 2016 for setting aside the order in I.A.No.127 of 2016. Thereafter, I.A.No.717 of 2015 was listed on 28.04.2016, 03.05.2016, 14.06.2016 and now the matter is adjourned to 18.07.2016. The dates mentioned above would clearly go to show that the respondents are adopting the tactic of filing applications one after another and the Court is also accommodating the respondents without passing orders in I.A.No.717 of 2015, which is coming up for grant of police protection to enforce orders granted in I.A.No.600 of 2015 on 11.12.2015. When the matters of this nature especially complaining violation of Court orders are brought before the Court and enforcement order is sought, the Court is expected to act expeditiously and shall not allow the other parties to delay the matter. In the circumstances, the learned Principal Junior Civil Judge, Kavali, shall ensure that the arguments of the respondents in I.A.No.717 of 2015 are heard on the next date of hearing i.e. on 18.07.2016 and if the respondents fail to advance their arguments on the said date, necessary orders be passed by the learned Judge basing on the material available on record.

Accordingly, the Civil Revision Petition is disposed of. No order as to costs.

Miscellaneous petitions pending in the Civil Revision Petition, if any, shall stand closed. No order as to costs.

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***Challa Kodanda Ram, J***

1<sup>st</sup> July, 2016.

Note : Issue C.C. in one week.

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