

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

CIVIL REVISION PETITION No.3952 of 2016

ORDER:

The petitioners are the defendants in O.S.No.80/2015 on file of the Principal Junior Civil Judge, Chirala, Prakasam District. The said suit was filed for mandatory injunction directing the defendants 1 to 3 to evict defendant No.4 from the suit schedule land and entrust the land for desalting work in the interest of villagers. Along with the suit, the plaintiff filed I.A.No.512/2015 seeking *ad-interim* injunction restraining the respondents from interfering with the plaintiff's peaceful possession and enjoyment and not to change the physical features of the plaint schedule property till disposal of the main suit. The said application was allowed by order dated 24.07.2015 by the learned Principal Junior Civil Judge, Chirala. Challenging the same, the petitioners herein filed C.M.A.No.5/2015 before the learned Senior Civil Judge, Chirala, who confirmed the same by order dated 26.04.2016.

The present proceedings arise out of the application filed by the respondent herein seeking to retain the physical features of the plaint schedule property till disposal of the main suit. The Courts below, on the basis of evidence, held that the respondent is entitled for such relief.

In view of the concurrent findings of fact recorded by the Courts below, this Court is not inclined to interfere with the orders passed by the Courts below. However, the learned Principal Junior Civil Judge, Chirala, Prakasam District shall endeavour to dispose of the main suit as expeditiously as possible depending upon the pendency of cases.

Accordingly, this Civil Revision Petition is dismissed. No order as to costs. Miscellaneous Petitions pending, if any, shall stand closed.

17.09.2016
MVA

A.RAMALINGESWARA RAO, J

