

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CIVIL REVISION PETITION No.5357 OF 2016

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed questioning the inaction on the part of the Senior Civil Judge at Sangareddy, in passing orders in pursuance of the Order in I.A. No.452 of 2014 in O.S. No.177 of 2014 dated 01.06.2015, whereby the Senior Civil Judge directed the respondent/ tenant to deposit arrears of rent for the period from August, 2014 to May, 2015 @ Rs.7,700/- per month into the Court on or before the 15.07.2015 and continue to deposit future rent with effect from June, 2015 on or before 10th of every succeeding month, till disposal of the suit and it is further made clear that in case the respondent fails to obey the order, the defence set out by him should be struck off as per sub-rule (2) of Order XV-A of the Code of Civil Procedure, 1908 (A.P. amendment) (for short, 'C.P.C.').

The main grievance of the petitioner is that when the respondent/ tenant did not comply the direction issued by the Senior Civil Judge, Sangareddy, no option is left open, except striking of the defence.

But it appears from the record that the respondent/ tenant filed an application on 23.07.2015 for extension of time in I.A. No.450 of 2015. The said petition is kept pending since 23.07.2015 without passing any order. Thus, it is evident from the record that the Senior Civil Judge, Sangareddy, is not evincing interest in passing orders either on the application filed by the respondent/tenant or consequential order in I.A. No.452

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of 2014, though the petitioner allegedly brought to the notice of the Court, about the order, by proceeding under Order XV-A CPC.

In those circumstances, I deem it appropriate to direct the Senior Civil Judge, Sangareddy, to decide I.A. No.450 of 2015 and pass consequential orders in I.A. No.452 of 2014 in O.S. No.177 of 2014 dated 01.06.2015.

Accordingly, the civil revision petition is disposed of at the stage of admission.

Miscellaneous petitions, if any, pending in the CRP shall stand closed.

Date: 18.11.2016
BV

M. SATYANARAYANA MURTHY, J

