

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

FRIDAY THE FIRST DAY OF JULY
TWO THOUSAND AND SIXTEEN

PRESENT
HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRPMP.No. 4010 OF 2016 ALONGWITH
CIVIL REVISION PETITION NO. 3136 OF 2016
AND
CRPMP.No. 4011 OF 2016 ALONGWITH
CIVIL REVISION PETITION NO. 3137 OF 2016

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Between:

Alluri Prabhakar ... Petitioner

Vs.

Mekala David Raju & Anr. ... Respondents

Counsel for the Petitioner: Sri Ramakrishna, K.

Counsel for the Respondents: None appeared

The Court made the following: [common order follows]

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRPMP.No. 4010 OF 2016 ALONGWITH
CIVIL REVISION PETITION NO. 3136 OF 2016
AND
CRPMP.No. 4011 OF 2016 ALONGWITH
CIVIL REVISION PETITION NO. 3137 OF 2016

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COMMON ORDER :

Vide CRPMP.No. 4010 of 2016 in CRP.No. 3136 of 2016 and CRPMP.No. 4011 of 2016 in CRP.No. 3137 of 2016 the petitioner seeks direction thereby directing the respondent No.2 not to release the proposed compensation amount to the respondent No.1 or anybody claiming through or under him in respect of suit property admeasuring Ac:0-63 cents in D.No. 97 of Nekkallu village, Thullur Mandal, Guntur district, pending disposal of I.A.No.517 of 2016 and I.A.No. 518 of 2016 in OS.No. 81 of 2016 on the file of the Court of Senior Civil Judge, Mangalagiri, Guntur district.

2. Learned counsel appearing on behalf of the petitioner submits that the petitioner filed applications on 30/3/2016, subsequently adjourned to 26/4/2016 and thereafter to 8/6/2016. Till then no counter has been filed despite the matter again

adjourned to 28/6/2016.

3. Learned counsel further submits that respondent No.1 having agreed to sell the suit schedule property in favour of the petitioner under an agreement of sale dated 56/2012 failed to execute the registered sale deed. Therefore, the petitioner filed suit in OS.No. 81 of 2016 for specific performance against the respondent No.1. The respondent No.1 only with malafide intention and to cause wrongful loss to the petitioner, approached respondent No.2 for payment of compensation in respect of the proposed acquisition of suit schedule property under CRDA scheme. Therefore, the petitioner has apprehension that the respondent No.2 may release the amount to the respondent No.1 or any other person on his behalf and in that situation I.A.No. 517 of 2016 and I.A.No. 518 of 2016 in OS.No. 81 of 2016 would become infructuous.

4. Keeping in view the averments made in the affidavit filed in support of the petition and submission of learned counsel for the petitioner, this Court deems it appropriate to direct the respondent No.2 not to release the compensation amount to respondent No.1 or any other person claiming through or under him in respect of

suit schedule property admeasuring Ac:0-63 cents in D.No. 97 of Nekkallu village, Thullur Mandal, Guntur district. CRPMP.No. 4010 of 2016 in CRP.No. 3136 of 2016 and CRPMP.No. 4011 of 2016 in CRP.No. 3137 of 2016 are accordingly disposed of.

5. In view of the above facts and circumstances, this Court further deems it appropriate to direct the Senior Civil Judge, Mangalagiri, Guntur district, to dispose of I.A.No. 517 of 2016 and I.A.No. 518 of 2016 in OS.No. 81 of 2016 preferably within fifteen days from the date of receipt of a copy of this order.

6. In view of the orders passed in CRPMP.No. 4010 of 2016 in CRP.No. 3136 of 2016 and CRPMP.No. 4011 of 2016 in CRP.No. 3137 of 2016, CRP.No. 3136 of 2016 and CRP.No. 3137 of 2016 are dismissed at the stage of admission as infructuous with no costs.

7. As a sequel, miscellaneous petitions if any, pending in these Civil

Revision Petitions shall stand closed.

KAIT.

JUSTICE SURESH KUMAR

01/07/2016
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HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

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COMMON ORDER

Date: 01/07/2016
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