

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

CIVIL REVISION PETITION No.2353 of 2017

28.04.2017

Between:

Vavilapalli Andamma and others

..Petitioners

and

The Principal Secretary to Government Revenue
(Endowments Department), Government of Andhra Pradesh,
Hyderabad and others

..Respondents

Counsel for the petitioners: Mr.Koppula Gopal

Counsel for the respondents: --

The Court made the following:



ORDER:

This civil revision petition arises out of order, dated 16.03.2017, in I.A.No.586 of 2016 in O.S.No.375 of 2007 on the file of II Additional District Judge, Visakhapatnam.

2. By the aforementioned order, the Court below has dismissed the application filed by the petitioners/plaintiffs for appointment of an Advocate Commissioner to identify whether Kota Gattu is in existence on the northern boundary of Madhavadhara Village as well as on the southern boundary of Adivivaram Village, for the purpose of localizing the suit land. In the detailed order passed by the Court below, the plea of the petitioners was rejected mainly on two grounds *viz.*, (1) that the petitioners failed plead in the plaint that Kota Gattu was in existence at all, and (2) that the petitioners themselves have admitted that a patta was issued under Section 7 of the Inams Abolition Act, 1956 in respect of the suit land in favour of respondent No.3/defendant No.3 and that from the pleadings of the parties, there is not dispute regarding the identity of the suit land. The learned counsel for the petitioners is unable to demonstrate that either of these two findings is incorrect. Moreover, the suit is of the year 2007 and it is wholly unreasonable to interfere with the trial of the suit at this length of time.

3. For the aforementioned reasons, I do not find any merit in the Civil Revision Petition and the same is, accordingly, dismissed.

4. As a sequel to dismissal of the C.R.P., C.R.P.M.P.No.3079 of 2017 filed by the petitioners for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

28th April, 2017
GHN

