

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CIVIL REVISION PETITION NO.3251 OF 2017

O R D E R

The petitioners in this revision under Article 227 of the Constitution are the defendants in O.S.No.1899 of 2008 on the file of the learned IX Additional Senior Civil Judge, L.B.Nagar, Ranga Reddy District. They filed I.A.No.19 of 2017 therein under Order 16 Rules 1 and 2 CPC read with Rule 29 of the Civil Rules of Practice to summon the Tahsildar, Uppal Mandal, Medchal District, to produce relevant documents pertaining to Survey No.159. By order dated 15.03.2017, the trial Court dismissed the said I.A. Aggrieved thereby, they are before this Court.

Heard Sri T.Srikanth Reddy, learned counsel for the petitioners/defendants, and Sri Ch.Ramesh Babu, learned counsel for the respondents/plaintiffs.

Parties shall hereinafter be referred to as arrayed in the suit.

O.S.No.1899 of 2008 was filed by the plaintiffs for declaration of their title over the suit schedule property and for a consequential direction to the defendants to deliver physical possession of the same to them. They also sought mesne profits from the date of filing of the suit till delivery of possession. The suit schedule property was shown as an extent of land admeasuring 159 square yards in Survey No.158 of Kothapet Village, Uppal Mandal, Ranga Reddy District. The claim of the defendants appears to have been that their land admeasuring 100 square yards is situated in Survey No.159 of the Village and not in Survey No.158. They filed the subject I.A. to summon the Tahsildar, Uppal Mandal, to produce relevant documents pertaining to Survey No.159 of the Village. The trial Court opined that the

prayer of the defendants was as vague as could be and they did not even disclose the description of the documents which had to be produced by the Tahsildar.

This Court finds no irregularity or error in the order passed by the trial Court dismissing the subject I.A. The Tahsildar cannot be summoned in this manner to certify as to which survey number a particular piece of land would fall in. The order under revision therefore does not brook interference.

The civil revision petition is devoid of merit and is accordingly dismissed. This order shall however not preclude the defendants in the suit from filing an appropriate application as advised and in accordance with law.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

10th AUGUST, 2017

Svv

SANJAY KUMAR, J

