

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CIVIL REVISION PETITION NOS.402, 403 & 431 OF 2017

COMMON ORDER:

These civil revision petitions are filed under Article 227 of the Constitution of India, challenging the orders dated 02.06.2015 passed in I.A.Nos.447, 448 and 151 of 2015 in I.A.No.569 of 2014 in O.P.No.143 of 2014 passed by the Principal Senior Civil Judge, Ranga Reddy District, filed under Order XXII Rule 9 C.P.C, Section 5 of Limitation act and Order XXII Rule 3 of C.P.C respectively.

The petitioner in all the three civil revision petitions is one and the same. The main grievance of the petitioner herein is that, no notice was served on him before passing the orders and passing such orders without affording any opportunity to raise his objections is violative of principles of natural justice. Therefore, sought to set-aside the order.

Admittedly, no notice was served in all the three petitioners to the petitioner before Court and question of raising objections would not arise. In those circumstances, the only course open to this Court is to remand all the applications to the Principal Senior Civil Judge's Court, Ranga Reddy, with a direction to afford an opportunity to the petitioner to file his counter and on filing such counter, the Court can decide the petitions in accordance with law.

Hence, the civil revision petitions are disposed of, on the sole ground of violation of principles of natural justice and I.A.Nos.447,

448 and 151 of 2015 in I.A.No.569 of 2014 in O.P.No.143 of 2014 are remanded to the Court of Principal Senior Civil Judge, Ranga Reddy District, directing the Principal Senior Civil Judge to decide the petitions in accordance with law, while permitting the petitioner to file his objections within one month from the date of receipt of copy of this order.

It is needless to mention that no notice is to be issued to the petitioner herein, as the petitioner has knowledge about remanding of interlocutory applications to the Trial Court.

With the above observation, all the civil revision petitions are disposed of.

Consequently, miscellaneous petitions pending if any, shall also stand closed. No costs.

JUSTICE M. SATYANARAYANA MURTHY

Date:14.07.2017

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