

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No.4018 OF 2017

ORDER:

The petitioner herein is the plaintiff, who filed O.S.No.311 of 2013, on the file of Principal Junior Civil Judge's Court, Ananthapuramu, seeking a permanent injunction against the respondent-defendant. He has also filed I.A.No. 116 of 2013 for temporary injunction which came to be dismissed, against which, he preferred C.M.A.No.457 of 2013 and the same was allowed by this Court on 15.08.2015 directing both the parties to maintain *status quo* as regards the plaintiff's possession over the suit schedule property till the final disposal of the suit. This order in I.A. has become final. However, as the respondent has been repeatedly interfering with the possession of the petitioner, he filed I.A.No.2515 of 2015, seeking to extend police protection. The main grievance of the petitioner is that though the said I.A. was filed in 2015, no orders have been passed, and so far, as many as, 30 adjournments have been granted. In those circumstances, the present Civil Revision Petition is filed seeking a direction to the Court below to pass orders in I.A. No.2515 of 2015 in O.S.No.311 of 2013, particularly, considering the nature of the relief, sought therein.

Sri Adi Seshareddy, learned counsel appearing on behalf of the respondent-defendant, on record, submits that there are few other I.As., filed on behalf of the respondent-defendant and are also pending and, as a matter of fact, the petitioner is not in possession of the property and in those circumstances, he seeks

adjournment. He also would assert that while his client has no objection for passing orders in I.A.No.2515 of 2015, the Court is also required to adjudicate the other IAs filed by the respondent-defendant. He prays for disposal of all the IAs expeditiously.

The argument of the learned counsel for the respondent that petitioner-plaintiff is not in possession of the property cannot be countenanced, for, the finding recorded by this Court, while disposing of CMA No.457 of 2013, has become final and the said finding is binding on the respondent. However, the request made by the learned counsel for the petitioner that a direction may be given to the learned Principal Junior Civil Judge, Ananthapuramu, to dispose of the matters expeditiously, is quite reasonable.

In those circumstances, the Civil Revision Petition is disposed of with a direction to the Principal Junior Civil Judge, Ananthapuramu, to pass orders in I.A.No.2515 of 2015 expeditiously, within a period of six weeks from the date of receipt of a copy of this Order. Learned Judge also shall take up other Interlocutory Applications in seriatim, in the order of priority, and make an endeavour to dispose of the same at the earliest. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

CHALLA KODANDA RAM, J

Dated:10.11.2017

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