

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

CIVIL REVISION PETITION NO.6500 OF 2017

DATED:24-11-2017

Between:

Moturi Madhusudana Rao
and another

... Petitioners

And

Smt. Kanikanti Nirmala

... Respondent

COUNSEL FOR THE PETITIONERS: Mr. Dharmesh Polavarapu

COUNSEL FOR THE RESPONDENT: -



THE COURT MADE THE FOLLOWING:

ORDER:

This civil revision petition arises out of order dt.20.06.2017 in I.A. No.1283 of 2014 in O.S. No.64 of 2014 on the file of the X Additional District Judge at Anakapalle, Visakhapatnam District.

A perusal of the docket order dismissing the aforementioned I.A. filed for rejection of plaint under Order VII Rule 11 of the Code of Civil Procedure, 1908, shows that at no point of time the petitioners have either appeared before the Court or got ready for enquiry.

Mr. Dharmesh Polavarapu, learned counsel for the petitioners, submitted that the docket entries referred to court notice and that at no point of time, the petitioners have received notice after transfer of the case from the Court at Visakhapatnam to the Court at Anakapalle and that therefore the petitioners could not appear or be represented by the counsel in the Court at Anakapalle. As adjudication of this plea of the petitioners requires verification of record and a finding on the facts, appropriate remedy for them is to file a review petition.

The civil revision petition is accordingly dismissed without expressing any opinion on the legality or otherwise of

the docket order dt.20.06.2017 with liberty to the petitioners to avail the remedy of review.

As a sequel to dismissal of the civil revision petition, C.R.P.M.P. No.8345 of 2017 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

24-11-2017

bnr

