

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CIVIL REVISION PETITION No.6998 OF 2017

DATED : 22.12.2017

Between :

Neelam Muthaiah S/o.Mallaiah,
Aged 60 yrs, Occu : Agriculture,
R/o.Mahabubabad Village, Mandal & District.

.. Petitioner

And

Bhukya Venkanna S/o.Dasru,
Aged 40 yrs, Occu : Agriculture,
R/o.Salar Thanda,
H/o.Mahabubabad Village, Mandal & District.

.. Respondent



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CIVIL REVISION PETITION No.6998 OF 2017

ORDER :

Petitioner/Plaintiff instituted O.S.No.88 of 2011 on the file of Senior Civil Judge, Mahabubabad, for declaration that he is the owner and possessor of the suit schedule land; to grant permanent injunction against the defendant and to rectify the entries made in pahanies for the year 2009-10 of the suit schedule property.

2. In the written statement filed by the defendant it was asserted that on 10.01.2004 the land was sold to the defendant under an un-registered sale deed and got mutated his name as pattedar and possessor in the revenue records. The plaintiff surrendered his pattedar pass books to the defendant and on thorough verification, the revenue officials issued pattedar pass books to him. The said written statement was filed on 06.02.2012.

3. As noted by the trial Court even in the plaint the plaintiff acknowledged change in the revenue records. While so, I.A.No.546 of 2016 was filed under Order 8 Rule 9 of Code of Civil Procedure to receive additional pleadings by way of rejoinder.

4. On analysis of material on record, the trial Court refused to entertain the said application and observed that in order to overcome the lacunas and latches in his case and only to prolong the litigation, the I.A., was filed.

5. From the relevant facts as briefly noted above, I do not see any error in the assessment made by the trial Court in refusing to

entertain the petition to file additional pleadings, warranting interference by this Court.

6. Accordingly, the Civil Revision Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this civil revision shall stand closed.

22nd December, 2017
Rds

P.NAVEEN RAO,J

