

THE HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN

CIVIL REVISION PETITION No.105 OF 2018

Date:23.02.2018

Between:

Pushadapu Suryanarayana S/ o.Kotaiah,
Aged about 60 years, R/ o.D.No.4-29-101,
Gandhinagar, Tenali, Guntur District.

...Petitioner

Vs.

Sammeta Nani S/ o.Seetharamaiah,
Aged about 49 years, R/ o.Mukkollu,
Guduru Mandal, Krishna District and others.

... Respondents

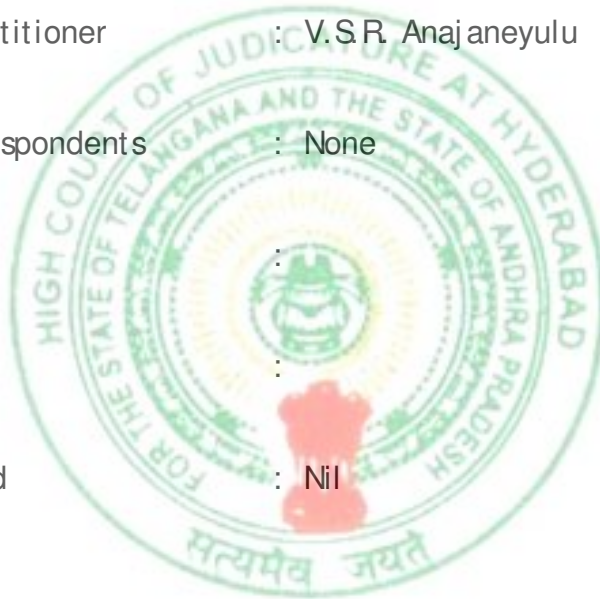
Counsel for Petitioner : V.S.R. Anajaneyulu

Counsel for Respondents : None

Gist :

Head Note :

Cases Referred : Nil



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ORDER:

Aggrieved by the order of the Court below refusing to grant police aid pursuant to an interim order of injunction, the plaintiff in a suit for permanent injunction has come up with the above revision.

2. Heard Mr. V.S.R. Anajaneyulu, learned counsel for the petitioner.

3. On 05.01.2018 notice was ordered in this revision. Personal notice was also permitted. After completion of service, the counsel for the petitioner filed a memo enclosing the acknowledgment cards received from the respondents. But, no one has entered appearance for the respondents.

4. The main grievance of the petitioner is that pursuant to an order of interim injunction granted in his favour, the Court below also granted police aid. But, the Sub-Inspector of Police, Robertsonpet Police Station filed a memo stating that the disputed property is situate within the jurisdiction of Chilakalapudi police station. The moment such a memo was filed, the Court below closed the application for police aid directing the petitioner to take out an application under Order 39 Rule 2A CPC. Therefore, the petitioner is before us.

5. I do not know how the situation can be changed to the disadvantage of the petitioner merely because the original direction was to one police station and that police station claimed not to have jurisdiction. Once the Court below has ordered police aid and that order has attained finality, the inability of one particular police station to enforce that order cannot nullify the order itself.

6. Therefore, the revision is allowed, the impugned order is set aside and there will be a direction to the Chilakalapudi Police Station to

provide police aid for the enforcement of the interim order of injunction.

7. As a sequel thereto, miscellaneous petitions, if any, pending shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

February 23, 2018
KTL

