

HON'BLE SRI JUSTICE S.V. BHATT

C.R.P.No.1535 OF 2018

ORDER:

Heard Sri Tangeda Dayananda Rao for revision petitioner.

The plaintiff in O.S.No.44 of 2009 is the revision petitioner. The revision petitioner filed I.A.No.516 of 2017 under Order XVI Rule 2 CPC to issue summons to Tahsildar, Kamalapur Mandal, Karimnagar District, presently Warangal Urban District, to produce original documents of agricultural land in an extent of Acs.5-03 gts in Sy.No.268/A and also ROR proceedings in file No.B/418/2006 etc.

The revision petitioner filed affidavit in great detail in support of the said prayer. The respondent opposed summoning of record from Tahsildar. The learned trial Judge dismissed the application. Hence, the revision.

The reasoning given by the learned trial Judge is sufficient to dismiss the revision. The suit is for declaration of petitioner's ownership, possession and enjoyment of suit land. The burden is on revision petitioner to prove her title and possession of plaint schedule property. The revision petitioner now prays for summoning the record from the office of Tahsildar. The record maintained by the office of Tahsildar, if at all the revision petitioner intends to rely upon, the revision petitioner can certainly get certified copies of the record and file before the trial Court. The prayer to summon the Tahsildar to produce record is not in line with the procedure either under the Civil Rules of Practice or Order XVI Rule 2 of CPC.

The petitioner failed to make out case warranting interference of this Court against the order impugned in the revision.

Revision fails and is, accordingly, dismissed. There shall be no order as to costs.

Pending miscellaneous petitions, if any, stand closed.

S.V.BHATT, J

09th March, 2018
Lrkm

