

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

**CIVIL REVISION PETITION Nos.1140, 1141, 1262, 1263,
1267 and 2278 of 2017**

COMMON ORDER:

These civil revision petitions are filed by the petitioners under Article 227 of the Constitution of India, aggrieved by the rejection of Memos filed in E.P. Nos.39, 40, 41 and 42 of 2015 in LAOP Nos.219, 220, 221 and 222 of 2000 on the file of the Court of IV Additional District Judge, Kadapa.

2. Since the respondents in all the revision petitions are common and the point involved is one and the same, this Court is inclined to dispose of all the revision petitions by this common order.

2. Heard Sri K.G.Krishna Murthy, learned Senior Counsel representing Sri K.Rama Mohan, learned counsel for the petitioners and Sri P.Veera Reddy, learned Senior Counsel representing Sri K.Murali Krishna, learned counsel for the respondents.

3. A perusal of the record reveals that Sri G.Jayachandra Raju and Sri K.Sarath Kumar Raju (petitioners herein) respectively filed O.S.No.42 of 2017 and O.S.No.52 of 2017 on the file of the Court of Senior Civil Judge, Kadapa against the respondents herein claiming Advocate fee in respect of the above L.A.O.Ps. The petitioners filed I.A.No.421 of 2017 and I.A.No.459 of 2017 in O.S.No.42 of 2017 and O.S.No.52 of 2017 under Order XXXVIII Rule 5 of CPC seeking attachment of the money lying to the credit of the above referred L.A.O.Ps. The trial Court passed the *ex parte*

orders on 07.2.2017 in I.A.No.421 of 2017 directing the respondents in the suit to give security to the suit (O.S.No.42 of 2017) amount of Rs.9,83,457/-. Similarly, by *ex parte* order dated 14.2.2017 in I.A.No.459 of 2017, the trial Court directed the respondents to give security to the suit (O.S.No.52 of 2017) amount of Rs.6,52,945/-. In pursuance of the said orders, the petitioners filed the memos before the Court of IV Additional District Judge, Kadapa not to issue cheques in favour of the respondents, who are the petitioners in the L.A.O.Ps. By the impugned orders, the said memos were rejected. Hence, the revisions.

4. The learned Senior Counsel for both the parties, in all fairness, submitted that the learned IV Additional District Judge, Kadapa may be directed to issue cheques in favour of the respondents, after deducting the amounts covered under I.A.Nos.421 of 2017 and I.A.No.459 of 2017. In view of the said submission, this Court is not inclined to go into the merits of the main case. The learned counsel for both the parties filed statements reflecting the amounts to be deducted from each of the respondents.

5. Having regard to the facts and circumstances of the case, learned IV Additional District Judge, Kadapa is hereby directed to issue the cheques in favour of the respondents, as early as possible, as mentioned below:

CRP Number	E.P. Number	LAOP Number	Name of the respondent	Total amount in LAOP	Amount claimed in OS No.42 of 2017	Amount claimed in OS No.52 of 2017
1141/2017	39/2015	219/2000	M.Narayana Reddy	5,77,724	46,580	36,390
1140/2017	40/2015	220/2000	K.Rama Subba Reddy	18,29,083	1,40,430	99,865
1267/2017	41/2015	221/2000	P.Chinna Subba Reddy	12,89,875	99,990	61,785
	41/2015	221/2000	P.Rama Lakshumma	9,38,540	73,640	56,066
	41/2015	221/2000	K.Venkata Ramana	17,37,918	1,33,593	80,324
	41/2015	221/2000	N.Narasamma	15,67,269	1,20,795	76,921
	41/2015	221/2000	N.Subbarayudu	17,59,109	1,35,183	80,131
1263/2017 1262/2017 & 2278/2017	42/2015	222/2000	P.Rama Chandra Reddy	6,28,420	50,380	34,006
	42/2015	222/2000	P.Venkata Subba Reddy	4,44,732	36,605	25,221
	42/2015	222/2000	P.Konda Reddy	4,30,371	35,522	25,005
	42/2015	222/2000	K.Yellamma	14,33,111	1,10,731	77,224

6. Accordingly, civil revision petition Nos.1140, 1141, 1262, 1263, 1267 and 2278 of 2017 are allowed. Miscellaneous petitions if any pending in this revision petition shall stand closed.

T.SUNIL CHOWDARY, J.

Date: 12.7.2018
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