

**THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY**

**CIVIL REVISION PETITION No.1211 OF 2017**

**ORDER:**

This civil revision petition is filed by the petitioners-defendants, under Article 227 of the Constitution of India, assailing the order dated 29.11.2016 passed in I.A. No.628 of 2016 in O.S. No.249 of 2012 on the file of the Court of I Additional Junior Civil Judge, Machilipatnam.

2. Heard the learned counsel for both the parties.

3. A perusal of the record reveals that the respondent filed O.S.No.249 of 2012 on the file of the Court of I Additional Junior Civil Judge, Machilipatnam, against the petitioners seeking perpetual injunction in respect of the suit schedule property. During the pendency of the suit, the petitioners filed the petition under Order XVI Rules 1 and 2 read with Section 151 of CPC seeking to issue summons to the V.R.O., of the Village and the M.R.O., of Bandar. The trial Court, after affording reasonable opportunity to both the parties, dismissed the petition. Hence, the revision.

4. The petitioners filed the petition seeking to issue summons to the V.R.O., of the Village and the M.R.O., Bandar for production of documents. This Court carefully perused the affidavit filed by the petitioners before the trial Court, in support of the petition. The affidavit is consisting of six paragraphs. Paragraph No.3 deals with gift deed and other documents. It is not the case of the petitioners that the present petition is filed to issue summons to the V.R.O., and the M.R.O., to prove the gift deed or any particular

document. In paragraph Nos.4, 5 and 6, nothing is mentioned about the particulars of documents to be produced by the V.R.O., or the M.R.O. The petitioners filed affidavit in callous manner as if the trial Court blindly allow the petition. It is the duty of the petitioners to mention the details of the documents sought to be summoned from the Revenue office. In the absence of particulars of the documents, it is not possible for the Court to issue summons to the concerned Revenue officials. The trial Court considered all these aspects and dismissed the petition. The trial Court has assigned reasons much less cogent and valid reasons to its findings. I am fully agreeing with the findings recorded by the trial Court. There is no illegality, irregularity or impropriety in the impugned order.

5. Hence, the civil revision petition is dismissed. Miscellaneous petitions if any pending in this revision petition shall stand closed.

Date: 11.7.2018  
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**T.SUNIL CHOWDARY, J.**