

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Civil Revision Petition No.2757 of 2018

Date: 27.04.2018

Between:

Y.Narayana Raju

.. Petitioner

and

Saraswathula Kameswaramma and 5 others

.. Respondents

Counsel for the Petitioner : Mr.K.sai Rama Murthy

The Court made the following:



Order :

This Civil Revision Petition is filed against Order, dated 03-04-2018, in EP.No.47 of 2010 in OS.No.192 of 1987 on the file of the II Additional Junior Civil Judge, Visakhapatnam.

I have heard Mr.K.Sai Rama Murthy, learned Counsel for the petitioner, and perused the record.

Admittedly, the suit filed by respondent No.1 for eviction of the petitioner was decreed and after her death, her former GPA Holder- Saraswathula Vekata Surya Seetharama Sastry, who also claimed to be a legatee under the will executed by her, came on record of Second Appeal No.188 of 1999 as her legal representative and the said Second Appeal was eventually dismissed, on merits, on 20-05-2013. In these facts of the case, the objection of the petitioner that the EP filed by the successor in interest of the original decree holder without the Succession Certificate obtained by him is barred by the provisions of Section 214(1)(b) of the Indian Succession Act, 1925, is without any merit and the lower Court has rightly rejected the objections raised by the

petitioner in the EP. Hence, I do not find any merit in this Civil Revision Petition and the same is, accordingly, dismissed.

As a sequel to dismissal of the Civil Revision Petition, IA.No.1 of 2018, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 27th April, 2018
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