

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

Civil Revision Petition No.2723 of 2018

Date: 27.04.2018

Between:

Thokada Micro Self Employed Work Shops Welfare Association,
Thokada, Visakhapatnam
Rep. by its President K.venkateswarlu

.. Petitioner

and

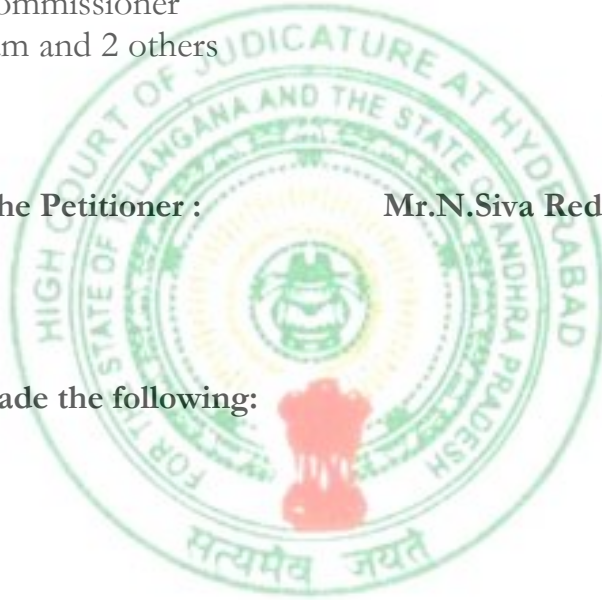
Greater Visakhapatnam Municipal Corporation
Rep. by its Commissioner
Visakhapatnam and 2 others

.. Respondents

Counsel for the Petitioner :

Mr.N.Siva Reddy

The Court made the following:



Order :

This Civil Revision Petition is filed against Order, dated 21-03-2018, in IA.No.89 of 2017 in OS.No.38 of 2017 on the file of the Principal Senior Civil Judge, Gajuwaka.

The petitioner filed the abovementioned suit for permanent injunction restraining the respondents from interfering with its peaceful possession and enjoyment of the plaint schedule workshops. Along with the suit, the petitioner has also filed IA.No.89 of 2017 for temporary injunction. In the said IA, the petitioner filed IA.No.207 of 2018 for summoning the Zonal Commissioner, Gajuwaka Zone, Greater Visakhapatnam Municipal Corporation (GVMC), to furnish the details of the application submitted by the petitioner for conversion of the work shop area into industrial area, the legal opinion of the Standing Counsel of the GVMC on the said the said Application, the corresponding letter through which the application of the petitioner was forwarded to the VUDA and the opinion of the VUDA authorities to give evidence *etc.* As this Application was dismissed by the lower Court, the petitioner filed this Civil Revision Petition.

As could be seen from the nature of the documents sought to be summoned through the Zonal Commissioner, Gajuwaka Zone, GVMC, they are the privileged communications such as legal opinion, which cannot be directed to be produced. As regards the other documents, they being public documents, the petitioner is entitled to apply for furnishing those documents under the Right to Information Act, 2005 (for short 'the Act'). The petitioner has not raised any plea to the effect that it has made any such efforts and having failed in its efforts, it has filed the said Application. The Zonal Commissioner, GVMC, being charged with onerous responsibilities, cannot be summoned in a light hearted manner at the instance of a party to the litigation. In my opinion, instead of securing the documents sought to be summoned by the petitioner by availing his legal right under the Act, he has unnecessarily filed the aforementioned IA, which was rightly dismissed by the lower Court, *albeit* for different reasons.

For the aforementioned reasons, 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
lur

