

THE HON'BLE SRI JUSTICE D.V.S.S.SOMAYAJULU

CIVIL REVISION PETITION No.1 of 2014

ORDER:

This civil revision petition is filed questioning the order, dated 23.12.2013, passed in I.A.No.409 of 2013 in O.S.No.111 of 2012, on the file of the Junior Civil Judge at Husnabad.

I.A.No.409 of 2013 was filed under Order 1 Rule-10(2) CPC to add the Tahsildar as a respondent in I.A.No.291 of 2012 in O.S.No.111 of 2012.

The suit was filed for perpetual injunction. In that suit, an interlocutory application was filed to implead the Tahsildar. Counter was filed. Thereafter, after hearing both the learned counsel, the court below passed the impugned order. Questioning the said order, the present revision is filed.

This court has heard Sri Alladi Ravinder, learned counsel for the petitioner, and the learned Asst.Govt.Pleader, appearing for the 4th respondent.

In the opinion of this court, the order of the lower court does not suffer from any infirmity whatsoever. The suit is filed for perpetual injunction. The plaintiff will have to prove his right, title and possession to the property in question. The Tahsildar of Chigurumamidi Mandal, Karimnagar District is neither a necessary party nor a proper party to the suit, without whose presence the matter cannot be decided at all.

This court, after hearing both the learned counsel and after perusing the impugned order, is of the opinion that the lower court proceeded to decide the matter as per the settled law on the subject.

In paragraph No.13, the lower court also noticed that the proposed party is not necessary party and that he can be summoned, if necessary, to give evidence.

Therefore, this court is of the opinion that there is absolutely no infirmity in the impugned order. The civil revision petition is devoid of merits, and hence, the same is dismissed. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.

D.V.S.S.SOMAYAJULU,J

Date: 08.11.2018
Dsr

