

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CIVIL REVISION PETITION No.4645 OF 2018

DATED :29.10.2018

Between :

B.L. Narasimharao, S/o.Subbarao, Male,
Aged about 75 yrs, Occu : General Secretary,
Sree Venkateswara Krishna Devarayya Welfare Trust,
R/o.D.No.27-24-19, Vijaya Gardens,
Eluru-7, West Godavari District, A.P.

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Petitioner

And

Sree Vatti Venkata Ranga Pardhasaradhi,
S/o.Pullayya, Aged about 87 yrs, Occu : Chairman,
Sree Venkateswara Krishna Devarayya Welfare Trust,
Dwaraka Tirumala, R/o.Malki Mohammedpuram,
Pulla, Bhimadole (m), West Godavari District, A.P. & others.

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Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. Petitioner/plaintiff filed I.A.No.1001 of 2017 in O.P.No.675 of 2013 on the file Principal District Judge, West Godavari, Eluru, to direct the first respondent/first defendant to produce the original resolution passed by the Members of Trust on 21.04.2013 and in the event respondents fail to produce the original resolution, to permit him to adduce secondary evidence on that aspect by comparing the signatures of the members of the Trust who attended the meeting on the said date.

3. As can be seen from Paragraph No.3 of the affidavit filed in support of I.A., according to the petitioner, resolution copies earlier produced on behalf of the first defendant was found to be fabricated and therefore he sought intervention of the Court to call for the original resolution from the first defendant.

4. A reading of Paragraph No.5 of the order would show that the respondents produced the original resolution book and it was marked as Ex.B.1. Since the prayer sought by the petitioner was already complied by the respondents, the trial Court was disinclined to accept the prayer of petitioner to admit the photocopies of the alleged resolution relied upon by the petitioner. It is also appropriate to note that to test the claim of petitioner in the second limb of the prayer of the petitioner, the Court looked into the documents relied upon by the petitioner

and having found discrepancy, even otherwise, the Court was not inclined to accept the alternative prayer.

5. Be that as it may, as the document sought for by the petitioner was already produced and marked as Ex.B.1 the relief sought by the petitioner was already complied and nothing survives in the I.A., for this Court to consider the Revision. Thus, I do not see any error in the decision arrived at by the trial Court warranting interference by this Court.

6. Accordingly, the Civil Revision Petition is dismissed. Pending miscellaneous petitions shall stand closed.

29th October, 2018
Rds

P.NAVEEN RAO,J

