

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY**

**C.R.P.No.4691 of 2018**

**Date: 28.11.2018**

Between:

Golagani Ramu,  
S/o.Late Polayya,  
Hindu, Aged about 58 years,  
R/o. D.No. 54-4-11,  
Isukathota,  
Visakhapatnam,  
Visakhapatnam district  
and two others.

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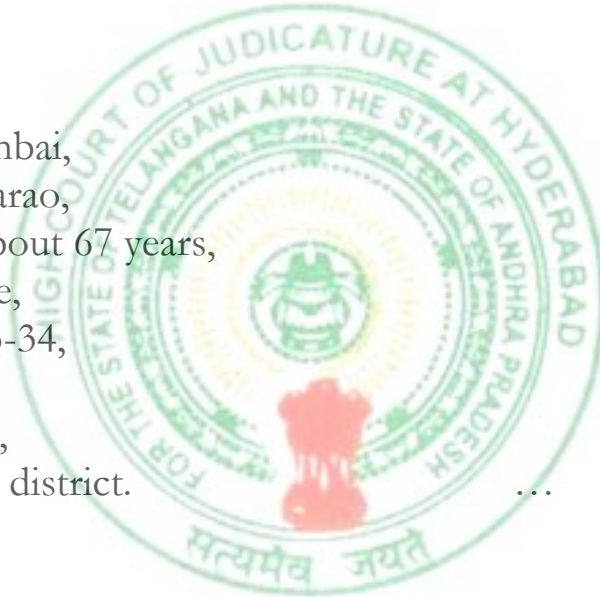
Petitioners

And

Smt.Rapeti Rambai,  
W/o.Late Apparao,  
Hindu, Aged about 67 years,  
Occ: Housewife,  
R/o.D.No.54-5-34,  
Isukathota,  
Visakhapatnam,  
Visakhapatnam district.

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Respondent



Counsel for the Petitioners : Mr. S.Chakrapani

Counsel for the Respondent: Mr.Rapeti Suryanarayana

**The Court made the following:**

**Order:**

This civil revision petition is filed against order dated 18.07.2018 in I.A.No.130 of 2018 in O.S.No.743 of 2018 on the file of the VII Additional District Judge (FTC), Visakhapatnam.

2. The respondent filed O.S.No.47 of 2018 in the Court of the I Additional Senior Civil Judge, Visakhapatnam, for permanent injunction, restraining the petitioners from interfering with the peaceful possession and enjoyment of the suit schedule property. Along with the said application, I.A. was filed for temporary injunction. The said application was dismissed by the trial court. Questioning the said order, the respondent has filed C.M.A.No.19 of 2018. In I.A.No.743 of 2018 filed by the respondent in the said C.M.A., the lower appellate court has granted interim injunction as prayed for. Complaining disobedience of the said order, the respondent has filed I.A.No.130 of 2018 for grant of police aid. The main contention raised by the petitioners in the said application was that against the order in I.A.No.743 of 2018, the petitioners have filed a civil revision petition, which is pending before this court and that in the guise of injunction, the respondent attempted to dispossess the petitioners from the land, not forming part of the suit schedule property. The lower court rejected the plea of the petitioners and granted police aid, by observing that if the petitioners are aggrieved by the injunction order granted in I.A.No.743 of 2018,

they are entitled to secure stay from the revisional court, that, as no such stay was granted by this court, the petitioners cannot be permitted to violate the order and that the respondent is entitled to police aid for implementation of the interim order granted in I.A.No.743 of 2018.

3. Having considered the reasoning on which the lower court has granted police aid, I to not find any error, jurisdictional or otherwise to set aside the same.

4. The civil revision petition is accordingly dismissed, however, with the observation that the order for police aid granted by the lower court will automatically come to an end, if this court either grants stay of the order of injunction or allows the civil revision petition said to have been filed by the petitioners against the said injunction order.

5. As a sequel to the dismissal of the civil revision petition, I.A.Nos.1 and 2 of 2018 are disposed of as infructuous.

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**(C.V.Nagarjuna Reddy, J)**

Date: 28<sup>th</sup> November, 2018

msb

