

HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CIVIL REVISION PETITION No.6314 OF 2018

ORDER:

The present Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the petitioners questioning the inaction of learned District Judge, Mahabubnagar in disposal of Transfer O.P. No.9 of 2018.

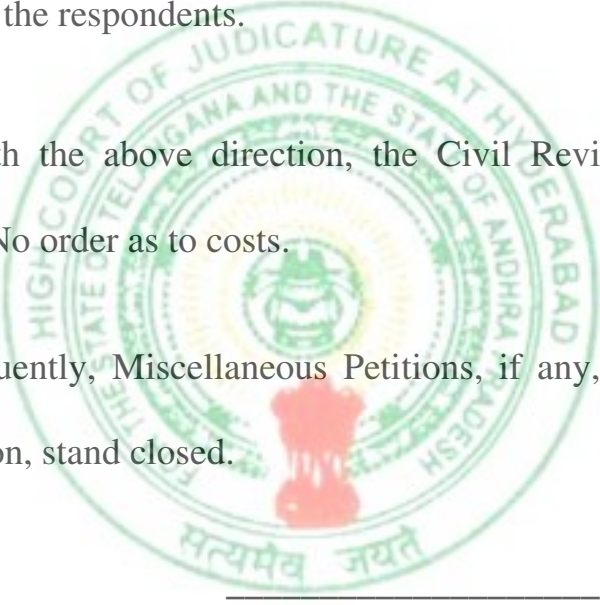
2. It is alleged in the petition that the petitioners herein filed suit - O.S. No.70 of 2018, pending on the file of the learned II Additional District Judge, Mahabubnagar for declaration of title and injunction in respect of suit schedule property to an extent of Acs.1-11 guntas in Sy.No.561, situated at Bandameedipally village of Mahabubnagar Mandal and District, and the same is pending for adjudication, whereas, respondent Nos.2 and 3 herein filed a suit - O.S. No.155 of 2018 seeking perpetual injunction against petitioner No.1 herein and others in respect of the property covered by the very same survey number, and the same is pending for adjudication before the learned Junior Civil Judge, Mahabubnagar. It is also alleged that the petitioners herein filed Transfer O.P. No.9 of 2018 before the District Judge, Mahabubnagar, under Rule 64 of the Civil Rules of Practice read with Section 24 of the Code of Civil Procedure, 1908, for withdrawal of O.S. No.155 of 2018 from the file of learned Junior Civil Judge, Mahabubnagar and transfer the same to the file of learned II Additional District Judge, Mahabubnagar to be tried along with O.S. No.70 of 2018, on the ground that the other connected suit O.S.

No.70 of 2018 is filed for declaration of title and other consequential reliefs, and the learned District Judge ordered notice in the said Transfer O.P., but, the learned Junior Civil Judge insisting to proceed with trial.

3. In view of the circumstances stated by the petitioners in the petition, learned District Judge, Mahabubnagar, is requested to dispose of Transfer O.P. No.9 of 2018, pending on its file, in accordance with law, as expeditiously as possible, immediately after appearance of the respondents.

4. With the above direction, the Civil Revision Petition is disposed of. No order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in the present revision, stand closed.



M. SATYANARAYANA MURTHY, J

October 30, 2018
Mgr