

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No.6222 of 2018

ORDER:

Heard the learned counsel for the petitioner.

The Civil Revision Petition is filed against the Docket Order dated 12.10.2018, returning the papers in O.S.C.F.R.No.9190 of 2018 on the file of the Principal Junior Civil Judge, Kurnool, without numbering the suit. The said order reads as under:

“Heard.

On perusal of the record, there is no specific survey number mentioned on patta as shown in plaint schedule property. It should be supported by revenue document. Previous objections not complied. Hence returned.”

Having gone through the material on record, it is evident that the Court below appeared to have returned the plaint objecting that there is no specific survey number mentioned in the patta as shown in the plaint schedule property. The suit property has identified as Plot No.113 in a lay out formed in Sy.No.336/1, 337/2 of Thandrapadu village, Kurnool District. Further, the other objections, which have been raised on earlier occasions also do not indicate the learned Judge having examined the parameters, required to be considered at the stage of numbering the suit.

In those circumstances, the reasons stated for non-numbering the suit is unsustainable. Therefore, there shall be direction to the learned Principal Junior Civil Judge, Kurnool, to receive the suit papers and number the suit, keeping in view the fact that the suit, without numbering the same at the very

threshold, raising objections, which are otherwise unsustainable, cannot be rejected.

The Civil Revision Petition is therefore, allowed. Registry to return the original document filed along with the Civil Revision Petition, on application to be filed by the petitioner. No costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

CHALLA KODANDA RAM, J

Date: 08.11.2018

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