

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No. 6669 of 2018

ORDER:

This Civil Revision Petition is filed against docket order, dated 24.09.2018 passed by the learned Junior Civil Judge, Yemmiganur, in I.A.No.449 of 2018 filed by petitioner herein seeking to issue summons to the Tahsildar, Mantralayam Mandal, to cause production of the petition schedule documents and to give evidence in O.S.No.21 of 2013.

The petitioner filed the above said suit against the respondent/defendant seeking permanent injunction restraining her, her men, servants, etc., from interfering with in any manner with respect to the plaint schedule property. Being the plaintiff, the burden is on him to prove his case. In the affidavit filed in support of the I.A., he stated that the suit is coming up for his side evidence and the defendant had taken a specific plea that the land over which he is claiming right was in fact acquired under the land acquisition proceedings initiated by the State. In the circumstances, he may file an application under the relevant provisions of the Right to Information Act, 2005, before the revenue authority concerned so as to ascertain whether the land was acquired by the State under the land acquisition proceedings

or not. Though it is submitted by the learned counsel for the petitioner that the petitioner submitted a letter, dated 01.10.2018 to the Tahsildar, Mantralayam Mandal, seeking such information and certified copies of the documents in relation thereto, it is evident that the petitioner submitted the said letter after passing of the order impugned.

In those circumstances, granting liberty to the petitioner to file petition schedule documents before the Court below, after obtaining them under the Right to Information Act, 2005 by the end of January, 2019, this Civil Revision Petition is disposed of.

Miscellaneous Petitions, if any pending, shall stand dismissed. There shall be no order as to costs.

28th NOVEMBER, 2018.

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CHALLA KODANDA RAM, J