

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

CIVIL REVISION PETITION Nos.6985 and 6986 of 2018

COMMON ORDER:

These two Revisions are filed challenging docket orders dt.27-09-2018 in I.A.No.1325 of 2018 in C.M.A.No.28 of 2018 and I.A.No.1326 of 2018 in C.M.A.No.29 of 2018 of the Judge, Family Court-cum-IX Additional District Court, Rajamahendravaram.

2. Petitioners in these Revisions are defendants in O.S.Nos.395 of 2016 and 403 of 2016 pending on the file of the I Additional Junior Civil Judge, Rajamahendravaram.

3. The respondents in C.R.P.No.6985 of 2018 had filed the said suit for specific performance of an agreement of sale dt.23-05-1993 and other ancillary reliefs.

4. Likewise, the respondent in C.R.P.No.6986 of 2018 filed O.S.No.403 of 2016 for specific performance of an agreement of sale dt.16-12-1992 and other ancillary reliefs.

5. I.A.No.583 of 2016 was filed in O.S.No.395 of 2016 by respondents in C.R.P.No.6985 of 2018 seeking a temporary injunction. I.A.No.586 of 2016 was filed in O.S.No.403 of 2016 by respondent in C.R.P.No.6986/2018 also seeking temporary injunction.

6. Initially, the trial Court granted *ex parte* injunction, which came to be vacated subsequently on 06-07-2018 after hearing petitioners herein.

7. Thereafter respondents in C.R.P.No.6985 of 2018 filed C.M.A.No.28 of 2018 and also I.A.No.1325 of 2018 therein for interim injunction.

8. The respondent in C.R.P.No.6986 of 2018 filed C.M.A.No.29 of 2018 against the order vacating the temporary injunction in I.A.No.586 of 2016 and also filed I.A.No.1326 of 2018 therein seeking temporary injunction in C.M.A.

9. The lower appellate Court granted temporary injunction in C.M.As. on 27-09-2018 fixing the date of hearing as 25-10-2018.

10. Assailing the same, these Revisions are filed.

11. Though learned counsel for petitioners contended that the lower appellate Court ought not to have granted interim injunction in favour of respective respondent/s in both the Revisions, and that no proper reasons are assigned therein since petitioners in both the Revisions can as well file applications to vacate the said temporary injunction orders in C.M.As. and also seek early hearing of C.M.As., I am not inclined to interfere with the said orders.

12. Therefore, petitioners shall file appropriate applications in the lower appellate Court seeking vacation of the temporary injunction

orders granted by it, and in the event such applications are filed, the lower appellate Court is directed to decide the same and if possible even the C.M.As., within a period of six (06) weeks from the date of receipt of a copy of this order after hearing the arguments of respondent/s also.

13. These Civil Revision Petitions are disposed of with the above directions. No costs.

14. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

Date : 27-11-2018
Vsv

M.S.RAMACHANDRA RAO, J

