

THE HON'BLE SRI JUSTICE S.V.BHATT

C.R.P.No.5916 of 2017

ORDER:

Heard Mr.Mohd.Ghulam Hussain for petitioners and Sri Rajamalla Reddy for respondent.

The petitioners filed application under Order XVI Rules 6 and 7 of Code of Civil Procedure to summon the Tahsildar to produce the record in ROR.file.No.D/1109/05-02, dated 16.03.2007. The trial Court through order challenged in CRP, dismissed the I.A.No.414 of 2017. Hence, the CRP.

Mr.Mohd.Ghulam Hussain contends that the summoning of record is very much essential and necessary. The relief cannot be denied to petitioner particularly having regard to the memo dated 10.09.2009 issued by the office of Tahsildar, Manakondur Mandal.

On the other hand, Mr.Rajamalla Reddy contends that the reasoning of trial Court is tenable and that the petitioners since have received memo dated 10.09.2009 for the purpose of summoning the Tahsildar to produce the record is more academic but is not going to serve any purpose.

The contentions are merely referred and this Court prima facie is satisfied with the view expressed by the trial Judge and no ground for interference with the order under Revision is made out. The petitioner since claims to have taken steps for securing certified copies, however, without success, the petitioner is given liberty to bring the memo petitioner is relying upon for summoning the documents to bring on record in the suit. As and when, such a request is made, the Court to consider the request on its own merits.

Civil Revision Petition is dismissed with the above observations. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Dt: 02.02.2018
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S. V. BHATT, J

