

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

C.M.A.No.1337 of 2017

Date: 24.10.2018

Between:

A.Balanagamuni Reddy,
S/o.Late A.Peddamuni Reddy,
Aged about 63 years,
Occ: Service,
R/o.6-3-778 & 779,
Flat No.302, S.M. Apartments,
Panjagutta Colony,
Hyderabad and four others

Appellants

And

Tirumala Tirupathi Devasthanam,
rep. by its Executive Officer,
Administrative Buildings,
K.T. Road, Tirupathi,
Chittoor district, Andhra Pradesh
and 25 others.

Respondents

Counsel for the Appellants : Mr. A.Sudershan Reddy,
Senior Counsel for
Mr.Srinivas Velagapudi

Counsel for the Respondents: Mr. B.Rajeswar Reddy,
Standing Counsel for TTD for R1

Mr.M.Adinarayana Raju for
Mrs.P.Bala Rani for R2

The Court made the following:

Judgment: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This civil miscellaneous appeal arises out of order dated 21.09.2007 in I.A.No.739 of 2017 in O.S.No.147 of 2017 on the file of the IV Additional District and Sessions Judge, Rangareddy district at L.B. Nagar, whereby he restrained the appellants from alienating or creating third party rights in the petition schedule property, while disallowing the prayer for a temporary injunction, restraining the appellants from making further constructions.

2. After a detailed hearing of both the learned counsel and having regard to the elaborate consideration of the elements of *prima facie* case, balance of convenience and irreparable injury and in the light of Exs.A1 and A2 – Wills dated 28.07.2000 and 25.07.2001, which constitute the basis for respondents No.1 and 2 to claim relief in the suit, we are of the opinion that the order of the lower court does not call for interference. However, as the suit is of the year 2007, the lower court is directed to dispose of O.S.No.147 of 2007, peremptorily within four months from the date of receipt of this order.

3. Civil miscellaneous appeal is disposed of accordingly.

4. As a sequel to the disposal of the civil miscellaneous appeal, I.A.No.2 of 2017 (C.M.A.M.P.No.2419 of 2017) is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

(T.Amarnath Goud, J)

Date: 24th October, 2018

msb



