

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

Civil Revision Petition No.2303 of 2019

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the petitioner/plaintiff, challenging the order, dated 21.09.2019, passed in O.S.S.R.No.11402 of 2019 by the I Senior Civil Judge, City Civil Court, Hyderabad.

2. Heard the learned counsel for the petitioner/plaintiff and perused the record.

3. It has been contended that the petitioner/plaintiff filed the subject unregistered suit before the Court below for declaration of title and perpetual injunction to declare the eviction order, dated 21.07.2015, obtained by the 1st respondent/1st defendant in R.C.No.150 of 2010 on the file of the Principal Rent Controller-cum-XII Junior Civil Judge, Hyderabad, as null and void. The said suit was returned by way of the impugned order. It is also brought to the notice of this Court that another suit in O.S.No.2336 of 2006, seeking similar relief, was filed before the I Additional Judge, City Civil Court at Hyderabad and the said suit is numbered and being proceeded with.

4. Under these circumstances, the Court below is directed to register the suit in O.S.S.R.No.11402 of 2019, if it is

otherwise in order. However, the question of maintainability of the subject suit is left open, which is required to be determined in accordance with law.

5. With the above direction, this Civil Revision Petition is disposed of. There shall be no order as to costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

Dr. SHAMEEM AKTHER, J

27th September, 2019

Note:

Furnish C.C. today.

(B/O)

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