

THE HON'BLE Dr.JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.2460 OF 2019

ORDER:

This Civil Revision Petition is filed under Article 227 of the Constitution of India, by the petitioner/plaintiff, aggrieved by the order dated 18.06.2019 passed in CMA No.8 of 2017 by the learned Principal District Judge, at Khammam, whereby, the order dated 11.02.2016 passed in I.A.No.628 of 2015 in O.S.No.270 of 2015 by the Principal Junior Civil Judge at Khammam, was confirmed.

2) Heard the learned counsel for the petitioner and perused the record.

3) It is contended that the petitioner has title to the suit schedule property. There are number of documents to substantiate the same. However, both the Courts below declined to grant interim injunction in favour of the revision petitioner as prayed for.

4) In the course of submissions, it is brought to the notice of this Court that the respondents herein have filed a suit in O.S.No.44 of 2015 before the Principal District Judge, Khammam, against M.Ramaiah, M.Venkateswarlu and the petitioner herein, seeking partition. The suit schedule property in the subject O.S.No.270 of 2015 is part and parcel of the suit schedule property in the said partition suit. As seen from the record, both the Courts below recorded a finding that no *prima facie* case and balance of convenience has been made out in favour of the revision petitioner. The findings are recorded basing on the material placed on record.

There is nothing to show that the findings are perverse and interference is warranted under this revision. There are no merits in this revision petition and the same is liable to be dismissed.

5) Accordingly, the Civil Revision Petition is dismissed. Pending Miscellaneous Petitions, if any, shall stand closed. No order as to costs.

Dr. SHAMEEM AKTHER, J

Date: 28.10.2019
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