

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE SEVENTH DAY OF JANUARY,
TWO THOUSAND AND TWENTY TWO
PRESENT

THE HON'BLE DR JUSTICE GURIJALA RADHA RANI

IA.No. 1 of 2022
IN
CRP.No. 65 of 2022

Between:

1. A.Venkatesh, S/o. A.Peeraiah
2. A.Vijay Bhaskar, S/o. A.Peeraiah
3. M.A.Raju, S/o. Late M.Subba Raju

Petitioners
(Petitioners in C.R.P. No.65 of 2022
on the file of the High Court)

AND

1. Ganji Venkatesh, S/o.Late Ramulu, Occ: Business, H.No.9-9-7/102, Reddy Colony, Champapet, Saroornagar, Ranga Reddy District-500079.
2. Ganji Padmavathi, W/o. G.Venkatesh, Occ: House wife, H.No.9-9-7/102, Reddy Colony, Champapet, Saroornagar, Ranga Reddy District-500079.
3. Ganji Vishal, S/o. Ganji Venkatesh, Occ: Business, H.No.9-9-7/102, Reddy Colony, Champapet, Saroornagar, Ranga Reddy District-500079.

Respondents
(Respondents in -do-)

COUNSEL FOR PETITIONERS: Smt. Jyothi Eswar Gogineni

Petition under Order 39 Rules 1 & 2 R/w Section 151 of CPC praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to pass an Interim injunction restraining the respondents and persons claiming through them from interfering into the peaceful position of the petitioners in respect of the property land admeasuring Ac.12-00 having purchased the same under sale deed vide document No.5969/05 dated 29-08-2005, in Sy No 740/part, 741/part and 742, Korremula Village, Ghatkesar Mandal, Medchal - Malkajgiri District, more fully described in the petition schedule property, in the interest of justice.

SCHEDULE PROPERTY

All the admeasuring total 12.00 Acres in Sy.No. 740/1 Part, 741/Part and 742/Part of Korremula Village, Ghatkesar Mandal, Medchal-Malkajgiri District, Bounded By

NORTH	:	Sy.No.743/Part
SOUTH	:	Neighbours land of Malla Reddy
EAST	:	Neighbours land
WEST	:	Narapally Village Boundary and Road

pending disposal of CRP.No. 65/2022 presented to the High Court against the order in IA.No. 2215 of 2019 in OS.No. 1020 of 2019 dt. 2-12-21 on the file of the I Addl. Junior Civil Judge, Ranga Reddy District at L.B.Nagar.

The Court while directing issue of notice to the Respondents herein to show cause why this application should not be complied with, made the following order. (The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

“ Heard the learned counsel for the petitioners as well as the respondents-caveators.

Learned counsel for the petitioners submitted that they filed O.S No.1020 of 2019 before the I-Additional Junior Civil Judge, L.B. Nagar for perpetual injunction and filed I.A No.2215 of 2019 seeking temporary injunction and *status quo* order was passed by the trial court on 03.12.2019 till filing of the counter by the respondents and the respondents filed their counter on 19.07.2021. Meanwhile, the respondents filed a petition under Order VII Rule-11 CPC vide I.A No.20 of 2020 and the said petition was heard on 02.08.2021 and reserved for orders. But later as the concerned Presiding Officer was transferred, the matter was again reopened and orders were passed on 03.01.2022 dismissing the said I.A. with costs, but the *status quo* orders could not be extended as they were passed only till filing of the counter. The main I.A No.2215 of 2019 is not coming up for hearing.

Meanwhile, the respondents, after dismissal of I.A No.20 of 2020, filed O.S No.1829 of 2021 on the file of the II Junior Civil Judge without mentioning about existence of O.S. No.1020 of 2019 and obtained an injunction order.

Learned counsel for the petitioners submitted the there is a need to protect the suit schedule property in the meanwhile. *Status quo* order was there for two and half years and due to filing of O.S No.1829 of 2021 and obtaining injunction order by suppressing the pendency of O.S No.1020 of 2019, the property is in danger and it need to be protected.

Learned counsel for the respondents-caveators submitted that they are challenging the maintainability of the CRP itself and no interim order can be granted at present and requested the court to permit them to file counter.

Considering the urgency in this matter and the *status quo* order granted earlier in favour of the petitioners, it is considered fit to grant temporary Injunction in favour of the petitioners till disposal of I.A. No.2215 of 2019 by the I-Additional Junior Civil Judge, L.B. Nagar, Ranga Reddy District.

Hence, there shall be interim injunction as prayed for till disposal of I.A. No. 2215 of 2019 by the I-Additional Junior Civil Judge, L.B. Nagar, Ranga Reddy District.”

SD/- K AMMAJI
Assistant Registrar

//TRUE COPY//

SECTION OFFICER

To

1. The District Judge, Ranga Reddy District at L.B.Nagar.
(in duplicate with a copy of Injunction to serve on Respondents and return)
2. The I Addl. Junior Civil Judge, Ranga Reddy District at L.B.Nagar.
3. Ganji Venkatesh, S/o.Late Ramulu, Occ: Business, H.No.9-9-7/102, Reddy Colony, Champapet, Saroornagar, Ranga Reddy District-500079.
4. Ganji Padmavathi, W/o. G.Venkatesh, Occ: House wife, H.No.9-9-7/102, Reddy Colony, Champapet, Saroornagar, Ranga Reddy District-500079.
5. Ganji Vishal, S/o. Ganji Venkatesh, Occ: Business, H.No.9-9-7/102, Reddy Colony, Champapet, Saroornagar, Ranga Reddy District-500079.
(3 to 5 by RPAD)
6. One CC to Smt. Jyothi Eswar Gogineni, Advocate(OPUC)
7. One spare copy.

SAH

HIGH COURT

Dr.GRRJ

DATED: 07-01-2022

NOTE: POST ON 07-02-2022

ORDER

IA.NO. 1 OF 2022
IN
CRP.NO. 65 OF 2022

INTERIM INJUNCTION

