

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY ONE**

PRESENT

THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION NO: 2014 OF 2021

Petition Under Article 227 of the Constitution of India against the order dated 05-10-2021 in O.S.(SR).No. 2763 of 2021 on the file of the Junior Civil Judge at Huzurabad, Karimnagar Dist.

Between:

Smt Devarakonda Maheshwaramma, W/o. Rajanandam, Age.65 years, Occ. House hold, R/o.H.No.8-6-192/52, Kothirampur, Karimnagar District.

...PETITIONER/ Plaintiff

AND

1. Sri Pendota Rama Chary, S/o. Venkata Chary, Age.62 years, Occ. Business, R/o.H.No.8-6-192/4/A, Kothirampur Karimnagar District.
2. Sri Chittimalla Swarajyam, S/o. Bixapathi, Age. 60 years, Occ. House hold, R/o.H.No.1-140, LIG-housing board colony, Karimnagar District.
3. Smt Naroju Krishnaveni, W/o. Venkata Chary, Age. Major, Occ. house hold, R/o.H.No.13-9/2, Pragati Nagar, Husnabad town and Mandal of Siddipet District.
4. The Mandal Thasildhar, V-Saidapur, ViSaidapur manda, Karimnagar District.

...RESPONDENTS/ Defendants No. 1 to 4

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to register the suit returned on vide S.R.No.2763 of 2021, dated 05.10.2021, pending I.A.No.615 of 2008 in O.S.No.538 of 1968 on the file of Hon'ble Senior Civil Judge, at Huzurabad, Karimnagar District to the orders by following the CRP.

Counsel for the Petitioner: SRI K. BUCHI BABU

Counsel for the Respondents: ---

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.2014 OF 2021

ORDER:

This revision petition, under Article 227 of the Constitution of India, is filed by the petitioner aggrieved by the return of plaint in O.S.(SR).No.2713 of 2021 by the Court of Principal Junior Civil Judge, Huzurabad, Karimnagar District.

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

3. As seen from the material placed on record, the Court below returned the subject plaint on 05.10.2021 with certain objections. Thereafter, the petitioner did not resubmit the subject plaint before the Court below. The petitioner ought to have resubmitted the subject plaint before the Court below and made submissions with regard to the maintainability of the same. Without adverting to the same, the present revision petition is filed. In view of the same, the proper course available to the petitioner is to resubmit the subject plaint before the Court below with a request to call the matter on bench and get adjudication with regard to the maintainability of the subject plaint, by way of an order on judicial side.

4. With the above observations, the Civil Revision Petition is disposed of.

Miscellaneous Petitions, if any, pending in this Civil Revision
Petition shall stand closed. There shall be no order as to costs.

Note: Registry is directed to return the original plaint to the petitioner or her counsel on proper identification and under proper acknowledgment, as per the procedure.

SD/-K.VENKAIAH
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Junior Civil Judge, Huzurabad, Karimnagar Dist.
2. The Registrar Judicial, High Court for the State of Telangana at Hyderabad.
3. The S.O. C.R.P. Section, High Court for the State of Telangana at Hyderabad to comply with the direction of the Hon'ble Court.
4. Copy to the Section Officer, ER Section, High Court to comply with the direction of the Hon'ble Court.
5. One CC to SRI. K. BUCHI BABU, Advocate [OPUC]
6. Two CD Copies
7. One Spare Copy

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TR

HIGH COURT

DATED:31/12/2021

ORDER

CRP.No.2014 of 2021



DISPOSING OF THE CR P WITHOUT COSTS

[Handwritten signature]
20/1/2022