

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD**

THURSDAY, THE THIRTEENTH DAY OF MARCH,
TWO THOUSAND AND FOURTEEN
: PRESENT :
THE HON'BLE SRI JUSTICE: **M.S.K.JAISWAL**

CCCA. Nos. 6 & 21 of 1991

CCCA.No. 6 of 1991:

- (Appeal under Section 96 of CPC against the Judgment & decree of the Court of the Additional Chief Judge (Temporary) Civil Court, Hyderabad made in OS.No. 95/1971 dt. 04-06-1990)

Between:

1. K.Ramaswamy, S/o. Chandraiah (Died) per LR, Appellants 2 to 4.
2. K.Jana Bai, W/o. Late K.Ramaswamy
3. K.Prabhakar, S/o. Late K.Ramaswamy
4. K.Sudhakar, S/o. Late K.Ramaswamy
(LRs of deceased 1st Appellant)
(Appellants 2 to 4 are brought on record as LRs of deceased 1st Appellant as per court order dated. 28-3-08 in CCCAMP. 7/08)

...Appellants

AND

1. Sri Mallikarjuna Swamy Temple, known as Mallanna Deval, Bondilguda, rep. by C.Balaiah Yadav, Secretary of the Mallanna Temple Committee, Hyderabad, S/o. C.Mutyala Yadav, R/o. 20-1-581, Gollakiniki, Pooranapool, Hyderabad.
(CT. of Respondent No.1 is substituted in the place of the deceased Secretary S.Mallaiah (R1) as per court order dated. 3-4-08 in CCCAMP. 202/08)
2. Shah Hamid Siddiqui, S/o. Shah Md. Siddiqui (**Died per LR RRs 55 & 56**)
3. Syed Hassan, S/o. Syed Yaseen, Begum Bazar, Hyderabad.
4. The Secretary Muslim Wakf Board, Hyderabad, Andhra Pradesh.
5. Shaik Suleman, S/o. Shaik Mohiuddin, No. 6-1-342, Khairatabad, Hyderabad.
6. Hasanuddin, S/o. Hobinuddin (**Died per LR 7 & 8**)
7. Sakeena Bee, W/o. Hasanuddin, Bhadurpura, Hyderabad.
8. Jamalunnisa, D/o. Hasanuddin, Bhadurpura, Hyderabad.
(RR 7 & 8 who are already on record are recorded as LRs of deceased Respondent No.6 vide Memo USAR.No. 1424 ordered by Dy. Registrar dt. 15-4-99)
9. Mailaram Krishna, S/o. Mailaram Mallaiah, Chourag Bhanj, Hyderabad.
10. Vemna Trading Company, K.Bhandari (**Died per LR R38**)
11. Chandra Reddy (**Died per LR 26**)
12. Bansilal, Gollakidki, Hyderabad.
13. Radheshyam, S/o. Bajaranglal, Dhoolpet, Hyderabad.
14. Hari Ram, S/o. Bajranglal, Dhoolpet, Hyderabad.
15. Kashi Pershad, S/o. Murlidhar (**Died per LR RRs 57 to 63**).
16. Vishwambar Lal, S/o. Murlidhar, Dhoolpet, Hyderabad.

17. Hukim Singh (**Died per LR R52**)
18. Ramji Baba, S/o. Lakshminarayana, Old Bridge, Bahadurpura, Hyderabad.
19. Raj Lingam, Bahadurpura, Hyderabad.
20. Parameshwar, S/o. Balraj, Karwan, Hyderabad.
21. Anusuya Bai, W/o. Bankat Ram, Bhadurpura, Hyderabad.
22. S.Lingaiah, S/o. Papaiah (**Died per LRs RR 64 & 65**)
23. Eashwariah (**Died per LRs 66 & 67**)
24. Lakshmaiah, S/o. Papaiah (**Died per LR R68**)
25. Pushpamma, W/o. Kistiah (**Died per LR R69**)
26. Anantha Lakshmamma, W/o. Chandra Reddy, Bahadurpura, Hyderabad.
(R26 who is already on record are recorded as LR of deceased Respondent No.11 vide memo USR.No. 1422 ordered by Dy.Registrar dt. 15-4-99)

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27. Ramalakshmi, Bahadurpura, Hyderabad.
28. Noor Jahan Begum, W/o. M.A.Rahimhan Siddiqui, Bahadurpura, Hyderabad.
29. Ammena Begum, Bahadurpura, Hyderabad.
30. Kaza Mohiuddin, Bahadurpura, Hyderabad.
31. Papaiah (**Died per LR R50**)
32. M.Ishaq, Bahadurpura, Hyderabad.
33. Muzafar Mia, S/o. Mohd. Ali
34. Mazhar Mia, Bahadurpura, Hyderabad.
35. Abid Hussain, Bahadurpura, Hyderabad.
36. Sharfuddin, S/o. Abdul Ghani, Tadban, Hyderabad.
37. Azhara Begum, Tadban, Hyderabad.
38. S.Bhandra, Bhadurpura, Hyderabad.
(R38 who is already as on record are recorded as LR of deceased Respondent No.10 vide memo USR.No. 1423 ordered by Dy. Registrar dt. 15-4-99)
39. Tarabai, W/o. Gopal, Bhadurpura, Hyderabad.
40. Gori Begum, Bhadurpura, Hyderabad.
41. Yellaiah, Bhadurpura, Hyderabad.
42. Kambaiah, Bhadurpura, Hyderabad.
43. Babiah, S/o. Balaiah, Goshamahall, Hyderabad.
44. Mallaiah, Bahadurpura, Hyderabad.
45. Jalal Miah, Bahadurpura, Hyderabad.
46. Md. Ali Masoon, W/o. Mohd Ali, Bahadurpura, Hyderabad.
47. Saleem Pasha, Bahadurpura, Hyderabad.
48. Chandra Bai, Bahadurpura, Hyderabad.
49. Nayeemuddin Khan, Bahadurpura, Hyderabad.
50. Parvatamma, W/o. Sailu, D/o. Papaiah (Deceased Deft No.32), Nandi Muslamguda, Urban, Hyderabad District.
(R50 who is already on record is recorded as LR of deceased Respondent No.31 vide Memo USR No. 1427 ordered by Dy. Registrar dt. 15-4-99)
51. P.Anjaiah (**Died per LRs RR 70 to 72**)
52. Dharma Bai, W/o. Babulal, 19-5-15/1, Bahadurpura, Hyderabad.
(R52 who is already on record is recorded as LR of deceased Respondent No.17 vide Memo USR.No. 1426 ordered by Dy. REgistrat dt. 15-4-99)
53. K.Parameswar, S/o. K.Balaraj, 13-6-950/3, Karwan, Hyderabad.

54. Bamma, W/o. Sailu, 19-4-349, Kishan Bagh, Near Konda Reddyguda, Hyderabad.
 55. Smt. Zainab Bebum
 56. Sajid Siddiqui
 57. Smt. Shanta Bai
 58. Balkishan Kedia
 59. Ram Gopal Kedia
 60. Vindo Kodia
 61. Promodi Kedia
 62. Deepak Kedia
 63. Sarita Bai
 64. S.Veeraiah
 65. S.Suresh
 66. Smt. P.Suvarna
 67. Smt. Bala Laxmi
 68. Smt. Anjamma
 69. S.Veeresh
- (RRs 55 to 69 are brought on record as LR's of the deceased Respondents 2,15,22,23,24 and 25 vide court order dt. 15-9-99 in CMPs. 20422/99, 20424/99, 20426/99, 20428/99, 20430/99 & 20432/99)
70. P.Narasamma, W/o. Late P.Anjaiah, Occ: Housewife
 71. P.Vijayender, S/o. Late P.Anjaiah, Occ: Pvt. Service
 72. P.Ravinder, S/o. Late P.Anjaiah, Occ: Pvt. Service
- (RR 70 to 72 are R/o. 5-3-200, Goshamahall, Hyderabad)
(RR 70 to 72 are brought on record as LR's of deceased R.51 as per court order dated. 5-6-09 in CCCAMP. 881/2008)

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Respondents

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The Appeal coming on for hearing upon perusing the Petition and the Grounds filed herein and upon hearing the arguments of Sri M.Papa Reddy, Advocate for the Appellant and of Sri M.Laxma Reddy, C.Subba Rao, Prabhakar, Adinarayana Raju, Srikanth Reddy, Nagaraju, Murthy, Shantilal Vyas, Advocates for the Respondents.

CCCA.No. 21 of 1991:

(Appeal under Section 96 of CPC against the Judgment & decree of the Court of the Additional Chief Judge City Civil Court, Hyderabad (Temp) made in OS.No. 95/1971 dt. 04-06-1990)

Between:

1. Radheshyam, S/o. Bajaranglal
2. Hari Ram, S/o. Bajranglal (**Died per LR's A12 to 16**)
3. Kashi Pershad, S/o. Muralidhar (**Died per LR's A5 to 11**)
4. Vishwambar Lal, S/o. Muralidhar
5. Smt. Shanta Bai
6. Balakishan Kedia
7. Ramgopal Kedia

8. Vinod Kedia
9. Pramod Kedia
10. Deepak Kedia
11. Saritha Bai

(Appellants 5 to 11 are brought on record as LRs of the deceased A3 vide court order dt. 11-4-2000 in CMP. 6147/2000)

12. Smt. Panna Bai, W/o.Late hari Ram, D.No. 19-5-10/2, Bahadurpura, Hyderabad
13. Rajesh Kedia, S/o. Late Hari Ram, D.No. 19-5-10/2, Bahadurpura, Hyderabad
14. Vijay Kedia, S/o. Late Hari Ram, D.No. 19-5-10/2, Bahadurpura, Hyderabad.
15. Suraj Kumar Kedia, S/o. Late Hari Ram, D.No. 19-5-10/2, Bahadurpura, Hyderabad.
16. Kavitha Agarwal, W/o. Goverdhan Agarwal, D/o. Late Sri Hari Ram, D.No. 21-2-484, Mattikashare, Charkaman, Hyderabad.

(Appellants 12 to 16 are brought on record as LRs of deceased 2nd Appellant as per court order dated. 14-9-2010 made in CCCAMP. 449/10)

...Appellants

AND

Sri Mallikahrjuna Swamy Temple, Known as Mallanna Deval, Bondilguda, rep. by S.Mallaiah, Secretary of Mallanna Temple Committee, Hyderabad.

(Dismissed for default against SR vide court order dt. 31-12-01)

(Other Defendants are not the necessary parties to this appeal)

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Respondents

The Appeal coming on for hearing upon perusing the Petition and the Grounds filed herein and upon hearing the arguments of Sri T.S.Anand, Advocate for the Appellants and of Sri Adinarayana Raju, Advocate for the Respondent, the Court made the following

ORDER:

“ The defendants in O.S.No.95 of 1971 on the file of the Additional Chief Judge, City Civil Court, Hyderabad, are the appellants herein. The appellants are challenging the Judgment and Decree, dated 04-06-1990, by and under which the suit of the plaintiff-temple to declare the title and possession over the suit schedule property, consisting of 10 acres dry land in Sy.No.15 of Bondalaguda village, and for consequential injunction restraining the appellants-defendants from carrying out any constructions on the suit schedule property, was decreed.

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2. The brief averments of the plaint are as under:-

The plaintiff-temple is the owner of the suit schedule property and is in possession and enjoyment of the same. The 7th defendant initiated

proceedings under Sec.145 Cr.P.C., in M.C.No.17 of 1968 on the file of the II Magistrate, City Criminal Courts against the plaintiff and others. The SHO, Kamatipura Police Station also filed M.C.No.24 of 1968 before the same court against the plaintiff and the defendants herein, in which it was clearly stated that the plaintiff was in possession of the suit land paying the taxes. However, during the pendency of the same, the defendants trespassed and occupied some portion of the suit schedule property and trying to construct buildings in the said land. Hence, the suit for declaration of title and to evict the defendants from the portion occupied by them and to grant perpetual injunction.

3. The defendants No.1, 2 and 4 have filed their common written statement contending that the suit schedule property is not the temple land and that the plaintiff is not the owner and possessor. It is admitted about the proceedings initiated by the 7th defendant, in which the learned Magistrate held that the 7th defendant is in possession of the disputed property and the plaintiff or the other respondents therein were restrained from interfering with the possession and enjoyment of the said land. It is contended that the 1st defendant is the absolute owner and possessor of the unsurveyed land of Makta Mame Hameeda of Bondalguda village to an extent of Ac.5-00, which is evident from pahanies of 1953 onwards. It is further alleged that Sy.No.15 of Bondalguda village, measuring 10 acres is quite different from the land of the 1st defendant.

4. Defendant No.7 filed a separate written statement denying the title and possession of the plaintiff over the suit schedule property. It is further stated that the proceedings initiated by this defendant under Section 145 of Cr.P.C., ended in favour of this defendant. It is stated that the suit land is in Sy.No.5 of Makta Mame Hameeda and it belongs to Paigha estate from whom this defendant got patta dated 13th Maher, 1334 F. of Tahsil and District Shamshabad of Paigah Estate Asmanjahi and since then he is in possession and enjoyment of the said land. The total area of the land is Ac.16-19 gts., falling on both sides of the road leading to Zoological Park from old bridge of Hyderabad city. It is further stated that this defendant is the true owner and is in possession of the suit land and not trying to construct anything in the said land. The suit land is not at all in Sy.No.15 at Bondalguda but it is in Sy.No.5 of Makta Mame Hameeda admeasuring Ac.6.37 gts., only. Hence, pray for dismissal of the suit.

5. The other defendants, filed separate written statements and denied that the plaintiff is the owner and possessor of the suit land and in possession of the same. They claim that they are independent and *bona fide* purchasers of different extents and enjoying their respective lands accordingly. Some of the defendants admit that they have applied for permission to raise constructions in their respective lands and the same is within the knowledge of the plaintiff. It is further contended by some of the defendants that they are even residing in their respective houses constructed by them and paying taxes to the Government from time to time.

6. On the basis of the above pleadings, the trial Court framed the following issues and additional issues:-

1) Whether Mallaiah is the Secretary of the plaintiff temple, as per order in I.A.No.547 of 1989, dated 16-3-1990? (later, the same was recasted as under):-

Whether Mallaiah, who has signed the plaint is competent to file the suit on behalf of the temple?

2) Whether the plaintiff is the owner of the suit property and whether the plaintiff is entitled to be put in possession of the suit property after evicting the defendants?

3) Whether the plaintiff is entitled to perpetual injunction restraining the defendants from carrying out any constructions on portions of the suit property?

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- 4) Whether the suit property is a part of Makta Mame Hameeda and f No.1 is the owner and possessor of it?
- 5) Whether the suit property is in Sy.No.5 of Makta Mame Hameeda and patta was granted in favour of the 7th defendant and whether is the true and rightful owner and is in possession of the suit property?
- 6) Whether the 10th defendant is not a necessary party to the suit?
- 7) Whether the defendants 1, 2 and 4 acquired title to a plot of land measuring 3383 Sq.Yds., as purchasers from Syed Hussain and 3rd defendant under sale deeds on 15-10-1970? And were in possession of the same and constructed any building?
(Issue No.7 in respect as follows: Whether defendants No.4, 9, 17, 18, 22, 23, 24, 26, 28, 29, 50, 52, 53 and 55 have acquired title to the plots purchased by them from D.1 or her vendees?)
- 8) Whether the 9th defendant is a *bona fide* purchaser of 2391.55 Sq.Yds.?
- 9) To what relief is the plaintiff entitled?

Additional Issues:

- 1) Whether the alienations pleaded by D.52 to D.55 in their favour in written statement are true, valid and binding on the plaintiff?
- 2) Whether the plaintiff has no title or possession over the properties claimed by D.52 to D.55?
- 3) Whether the suit is bad for misjoinder of parties and cause of action?

7. During the course of trial, on behalf of the plaintiff, P.Ws.1 and 2 were examined and Exs.A.1 to A.63 were marked. On behalf of the defendants, D.Ws.1 to 18 were examined and Exs.B.1 to B.172 were marked. Apart from that Exs.X.1 and X.2 were also marked.

8. After hearing the arguments of both sides and on perusing the oral and documentary evidence, by the impugned Judgment and Decree, dated 4-6-1990, the learned Additional Chief Judge, City Civil Court, Hyderabad, held all the issues in favour of the plaintiff and accordingly decreed the suit. Hence, the appeal.

9. During the course of hearing the appeal, the learned counsel appearing for both the appellants/defendants and the respondents/plaintiffs have been elaborately heard. The oral and documentary evidence as also the impugned Judgment has been perused.

10. The core issue that needs to be resolved between the parties, which has been pending for nearly four decades, is about the identity of the property in dispute. The plaintiff claim that the suit land admeasuring about 10 acres is situated in Sy.No.15 of Bondalguda village and it belongs to the Mallikarjuna Swamy temple. Defendant Nos. 1, 2 and 4 claim the same land to be the unsurveyed land in Makta Mame Hameeda village. The other contesting Defendant No.7 claims that the suit land is in Sy.No.5 of Makta Mame Hameeda village. Therefore, it is necessary to localize and identify the suit schedule property to find out as to where actually the suit land is situated.

The proper way of resolving the dispute of such nature will be to get demarcation of the respective properties through the Department of Survey and Land Records.

11. During the pendency of the suit, the plaintiffs filed I.A.No.390 of 1973 for appointment of an Advocate-Commissioner and by its order dt. 03.09.1973, the trial Court allowed the same and appointed Sri P.V.Ramana Rao, Advocate as Commissioner with directions to prepare a sketch of the property claimed by the plaintiffs; to prepare separate sketch for the properties claimed by the contesting defendants; to prepare a combined sketch for Sy.No.15 of Bondalguda village and Sy.No.5 of Makta Mame Hameeda village; and to point out as to in which survey number the properties claimed by the respective parties are situated. The learned Advocate-Commissioner inspected the suit land after taking the measurements in the presence of both the Advocates and the parties and with the assistance of the Village Patwari, prepared and submitted the report on 09.04.1974. The learned Advocate-Commissioner concluded that the suit land is in Sy.No.15 of Bondalguda village and that Makta Mame Hameeda village is on the eastern side of Miralam Tank road and that Sy.No.5 of Makta Mame Hameeda village cannot be the suit land.

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12. Defendant Nos.1, 2, 4 and 12 to 15 filed their objections on 6.7.1974. Thereafter, the defendants filed I.A.No.1000 of 1988 for the purpose of setting aside the earlier report of the Commissioner and to appoint the Surveyor Commissioner of the Department of Settlement and Land Records to demarcate and locate Sy.No.15 of Bondalguda village and to actually locate the land situated in Makta Mame Hameeda village. The learned trial Judge has dismissed the said application on 22.10.1982. Aggrieved by the said order, the 1st defendant filed CRP No.3915 of 1982 and by an order dt. 8.9.1986 the High Court has dismissed the said CRP observing that the trial Court can as well consider the objections filed by the respective parties and arrive at a conclusion regarding the correctness of the report of the Commissioner and the binding effect of such report. The High Court further observed that the parties are at liberty to sustain the objections raised by them.

13. The learned trial Judge, as could be noticed from the Judgment, has not taken into consideration the objections filed by the defendants. The original report of the Advocate-Commissioner appears to have been misplaced and therefore, during the course of trial a certified copy of the report has been filed and marked as Ex.A-44. The Advocate-Commissioner is said to have appended nearly 20 enclosures to his original report, and the same are found to be missing. The Advocate-Commissioner Sri P.V.Ramana Rao could not be examined during the course of trial, since he died after submitting the report. The learned Judge observed that it is no doubt true that the Advocate-Commissioner is not examined in Court as he expired after submitting his report; and that the report of the Advocate-Commissioner forms part of the suit record and the Court can look into and rely upon the same for coming to a just conclusion in the suit. It is apparent that even though substantial objections were raised about the report of the Advocate-Commissioner, the same has not been adverted to.

14. During the course of hearing of the appeal, the learned counsel appearing for the appellants submitted that it is a fit case where an Advocate-Commissioner need to be appointed afresh by the Appellate Court so as to completely and effectively adjudicate the controversy, which has been pending for decades. It is submitted that once the localisation of the land has been made, virtually no controversy remains since neither of the parties are claiming rights over the lands, which are claimed by the opposite party. The plaintiffs claim that the temple is situated in Sy.No.15 of Bondalguda village, admeasuring about 10 acres. Some of the defendants say that the suit land is part of the un-surveyed land of Makta Mame Hameeda village whereas another defendant says that it is part of Sy.No.5 of Makta Mame Hameeda village.

In support of his contention, the learned counsel appearing for the appellants relies upon a decision of the Hon'ble Supreme Court in *Praga*

Tools Corporation Ltd. Mahboobunissa Begum^[1]. In the said case, the Hon'ble Supreme Court of India issued similar directions that it should be open to the trial Court to get the land surveyed either by appointing a lawyer, who is well-versed or by appointing a higher officer of the Survey Department, preferably Deputy Director, Survey and Settlement Department or an independent agency, having expertise to survey, and after the report was submitted the Hon'ble Supreme Court took the same into consideration and other material on record and disposed of the case on 4.5.2001.

15. The learned counsel appearing for the respondents opposed the said submission contending that at this belated stage appointment of Advocate-Commissioner afresh, more particularly in view of the fact that the trial Court has earlier rejected the request to appoint a second Advocate-Commissioner, cannot be acceded to.

16. Having considered the material on record, the rival submissions, and in order to resolve the controversy, I am of the opinion that an Advocate-Commissioner can be appointed afresh pending disposal of this appeal.

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17. In *Chukka Venkatadri & another vs. Mallavarapu Mahalakshamma*^[2] this Court observed that the Appellate Court has the power to issue commission for local inspection in the same manner in which the trial Court can do.

18. Even though the attempt made by the defendants to get the second Advocate-Commissioner was negatived, but the facts and circumstances of the case in hand are such that there is every need to get the land localised with the help of the concerned authorities. The learned Advocate-Commissioner could not be examined in view of his death, and his original report is misplaced and the Certified copy of the same is marked as Ex.A-44, and nearly 20 enclosures are said to have been appended to his report are also misplaced. The defendants have filed objections to the said report of the

Advocate-Commissioner, which have not been considered.

19. In view of the above, without expressing any opinion on the other issues and questions involved and canvassed, I am of the opinion that specific directions can be given to the trial Court and to submit the material to this Court for disposal of these appeals. Therefore, the following directions are issued:

(i) The trial Judge i.e., Additional Chief Judge, City Civil Court, Hyderabad shall appoint an Advocate-Commissioner for the purpose of taking the measurements and to locate and identify the suit land as to whether the suit land is part of Sy.No.15 of Bondalguda village; whether it is part of unsurveyed land of Makta Mame Hameeda village; or whether it is part of Sy.No.5 of Makta Mame Hameeda village;

(ii) The learned trial Judge can also issue directions to the concerned authorities of Director of Survey, Settlement and Land Records to render assistance to the Advocate-Commissioner.

(iii) The learned Judge shall fix the remuneration of the Advocate-Commissioner to be paid by the appellants herein;

(iv) It is also made clear that the learned trial Judge is at liberty to record the evidence of the said Advocate-Commissioner, the surveyor either on the request of the parties or even *suo motu* depending upon the facts and circumstances;

(v) The learned trial Judge also may issue necessary and suitable directions to the Advocate-Commissioner to take into consideration the title deeds, which may be produced before him.

(vi) The parties are at liberty to file the work memos, if any, and assist the Advocate-Commissioner in all respects; and

(vii) The learned trial Judge is directed to carry out these directions and submit his report/remarks along with the report of the Advocate-Commissioner and the other connected material evidence and record, which may be required in this regard, within a period of four months from the date of receipt of this order.

20. The parties and their advocates are directed to appear before the trial Court on 01.04.2014. Meanwhile, the Registry is directed to transmit the original records duly indexed along with the copy of this order.

The Registry is further directed to post these matters for further hearing, after receipt of the report from the trial Court.”

ASSISTANT

REGISTRAR

// TRUE COPY //

for ASSISTANT

REGISTRAR

To

1. The Additional Chief Judge City Civil Court, Hyderabad.
2. One CC to Sri M.Papa Reddy, Advocate, High Court of A.P., Hyderabad.
3. One CC to Sri M.Laxma Reddy, Advocate, High Court of A.P., Hyderabad.
4. One CC to Sri C.Subba Rao, Advocate, High Court of A.P., Hyderabad.
5. One CC to Sri Prabhakar, Advocate, High Court of A.P., Hyderabad.
6. One CC to Sri Adinarayana Raju, Advocate, High Court of A.P., Hyderabad.
7. One CC to Sri Srikanth Reddy, Advocate, High Court of A.P., Hyderabad.
8. One CC to Sri Murthy, Advocate, High Court of A.P., Hyderabad.
9. One CC to Sri Shantilal Vyas, Advocate, High Court of A.P., Hyderabad.
10. One CC to Sri T.S.Anand, Advocate, High Court of A.P., Hyderabad.
(2 to 10 by Spl. Messenger with a direction to appear before the trial court on 01-04-2014 along with their parties)
11. The Section Officer, A.F.Section, High Court of A.P., Hyderabad.
12. One spare copy.

SAH

HIGH COURT

MSKJ

DATED: 13-03-2014

**NOTE: POST THESE MATTERS FOR FURTHER
HEARING AFTER RECEIPT OF THE REPORT
FROM THE TRIAL COURT**

ORDER

CCCA.NOS. 6 & 21 OF 1991

DIRECTION

**DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 24-03-2014**

HIGH COURT

MSKJ

DATED: 13-03-2014

**NOTE: POST THESE MATTERS FOR FURTHER
HEARING AFTER RECEIPT OF THE REPORT
FROM THE TRIAL COURT**

ORDER

DIRECTION

[\[1\]](#) *2001(6) SCC 238*

[\[2\]](#) *2006(3) ALD 87*