

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

**THURSDAY, THE ELEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY TWO**

**PRESENT
THE HONOURABLE SRI JUSTICE K.LAKSHMAN**

CIVIL REVISION PETITION NO: 1759 OF 2022

Petition under Article 227 of Constitution of India, aggrieved by the Order dated 05/01/2022 in IA No.669/2017 in OS No.142/2017 on the file of the Court of the Principal Senior Civil Judge, Mahabubnagar FAC II Additional Senior Civil Judge (FTC) Mahabubnagar.

Between;

1. N. Janaki Ramulu, S/o Late N. Damodar,
2. N. Srinivasulu, S/o Late N. Damodar,

...PETITIONERS/ APPELLANTS

AND

N. Ramesh, S/o Late N. Govindu,

...RESPONDENT/ RESPONDENT

IA NO: 1 OF 2022

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to suspend the order Dt. 05/01/2022 passed in IA No. 669/2017 in OS 142/2017 passed by the II Additional Senior Civil judge, FTC at Mahboobnagar.

For the Petitioners : SRI P.SHIVA REDDY, Advocate

For the Respondent : NONE APPEARED

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CIVIL REVISION PETITION No.1759 of 2022

ORDER:

Heard the learned counsel for the petitioners.

2. Respondent had file a suit vide O.S.No.142 of 2017 for injunction simplicitor. Along with the said suit, he has also filed an interlocutory application vide I.A.No.669 of 2017 for temporary injunction. Vide order dated 05.01.2022, learned II Additional Senior Civil Judge (FTC) at Mahabubnagar has granted interim injunction. It is an order on contest. Feeling aggrieved by the said order, the petitioners herein/defendants in the said suit had filed an appeal vide C.M.A.No.4 of 2022 along with an I.A. seeking to suspend the said order. The grievance of the petitioners in the present civil revision petition is that the Appellate Court is not taking up the said I.A. or the appeal itself. There is an injunction order against the petitioners herein. Therefore, they are seeking a direction to the Appellate Court to decide the said I.A. and the appeal as expeditiously as possible.

3. As stated supra, the trial Court has passed temporary injunction on 05.01.2022 and it is an order on

contest. The Appeal was filed on 30.03.2022 and the same is not in dispute. Along with the said Appeal, the petitioners herein have filed an Interlocutory Application under Order 41 Rule 5 of CPC seeking to suspend the said order. The grievance of the petitioners is that the II Additional Senior Civil Judge (FTC) at Mahbubnagar is not taking up the said I.A. which is causing irreparable loss and injury to them.

4. Considering the said facts, this Civil Revision Petition is disposed of directing the II Additional District Judge at Mahbubnagar to dispose of the Interlocutory Application filed by the petitioners in C.M.A.No.4 of 2022 seeking to suspend the order dated 05.01.2022 in I.A.No.669 of 2022 in O.S.No.142 of 2017 passed by the II Additional Senior Civil Judge (FTC) at Mahbubnagar in accordance with law, as expeditiously as possible.

Miscellaneous petitions, if any, pending, shall stand closed.

Sd/-P.PADMANABHA REDDY
ASSISTANT REGISTRAR

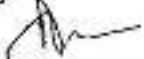
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SECTION OFFICER

To

1. The Principal Senior Civil Judge, Mahabubnagar.
2. The II Additional Senior Civil Judge (FTC), Mahabubnagar.
3. One CC to Sri P.Shiva Reddy, Advocate [OPUC]
4. Two CD Copies
5. One Spare Copy

KJ.



HIGH COURT

DATED:11/08/2022



ORDER

CRP.No.1759 of 2022

CRP IS DISPOSED OF.

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MA
11/10/22