

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

FRIDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SMT JUSTICE P.MADHAVI DEVI

CIVIL REVISION PETITION NO: 2398 OF 2022

Petition under Article 227 of the Constitution of India, against the Order aggrieved /against the Docket Order dated.21.06.2022 passed in I.A.573 of 2022 in OS 188 of 2022 on the file of the Court of file of the Junior Civil Judge-Cum-Judicial Magistrate of First Class, at Thorrur.

Between:

Kola Yakalaxmi, W/o. Ramulu, age. 35 years, Occ.Housewife, R/o. Mechrajpally Village, Nellikudur Mandal, Mahabubabad District.

...Petitioner/Plaintiff

AND

1. Vallapu Santhamma, W/o. late Vallapu Venkataiah@ Venakanna, age. 50 years, Occ. Agriculture, R/o. Matedu Village, Thorrur Mandal, Mahabubabad district
2. Vallapu Srikanth, S/o. late Venkataiah, age. 25 years, Occ. Agriculture, R/o. Matedu Village, Thorrur Mandal, Mahabubabad District
3. Vallapu Rajamma, W/o. Mallaiah, age. 45 years Occ. housewife, R/o. Matedu Village, Thorrur Mandal, Mahabubabad District
4. Gottigorla Swaroopa, W/o. Srinu, age. 45 years, Occ. Agriculture, R/o. Matedu Village, Thorrur Mandal, Mahabubabad District
5. Bandi Aruna, W/o. Yadagiri, age. 42 years, Occ. Agriculture, R/o. Rayaparthi Village, Thorrur Mandal, Mahabubabad District
6. Kola Venkanna, S/o. Mallaiah, age. 55 years, R/o. Mechrajpally Village, Nellikudur Mandal, Mahabubabad district
7. Gundeboina Mounika, W/o. Mahendar, age. 25 years, Occ.house wife, R/o. Ammasom Paravathagiri Mandal, Warangal District
8. Kola Revath, D/o. Venkanna, age. 20 years, Occ. Agriculture, R/o. Mechrajpally Village, Nellikudur Mandal, Mahabubabad District
9. The Tashildar, Thorrur Mandal, Mahabubabad District.

10. The Government of Telangana, through District Collector Mahabubabad District. (R 9 and 10 are not necessary parties to this CRP)

...Respondents/Defendants

IA NO: 1 OF 2022

Petition under Order 39 Rule 1 and 2 Read with Section 151 CPC praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to grant ad-interim injunction in favour of this petitioner by restraining respondents/ defendants not to alienating the suit schedule property till the disposal of main suit, in the interest of Justice.

SCHEDULE PROPERTY

Item No.1

All that in the Sy.no. 164 (old) now Sy.No146/A5/1(new) admeasuring about Ac.3-32 gts at Bonthupally village, Thorur mandal, Mahabubabad District. bounded by.

East . land of Vallapu Srinu

West . pathway

North. land of Vallapu Rajamma (Def.No.3)

South. land of Vallapu Rajamma (Def.No.3)

Item No.2

All that in the Sy.no. 164 (old) now Sy.No146/A4/1 (new) admeasuring about Ac.3-32 gts at Bonthupally village, Thorur mandal, Mahabubabad District. bounded by.

East . land of Naini Ashok Reddy Mango garden

West . pathway

North. land of Naini Ashok Reddy Mango garden

South, land of Vallapu Shanthamma (Def. No.1)

Counsel for the Petitioner: M/s GUNDLAPALLI V S S S SRUTHI

Counsel for the Respondent No.3: M/s A. RAGHURAMA AURAVA

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE P.MADHAVI DEVI

CIVIL REVISION PETITION No.2398 of 2022

ORDER:

This Civil Revision Petition is filed seeking a direction to the lower court to consider and pass orders in I.A.No.573 of 2022 of O.S.No.188 of 2022, dated 21.06.2022 on the file of the Junior Civil Judge-cum-Judicial Magistrate of First Class at Thorrur.

2. The petitioner is the plaintiff in the Suit in O.S.No.188 of 2022 which is filed for partition of joint family properties and separate possession and permanent injunction. Learned counsel for the petitioner submitted that the petitioner has filed I.A.No.573 of 2022 for an interim direction not to alienate the property pending disposal of the Suit. The grievance of the petitioner/plaintiff is that instead of granting the interim direction, only an urgent notice has been directed and the petitioner apprehends if the interim direction is not granted immediately, the respondents may transfer the suit schedule properties and third parties may come into picture pending disposal of the Suit.

3. The notices sent to the respondent have been served and the respondent No.3 is also represented by the counsel and only with

regard to one respondent i.e., respondent No.2, there is an endorsement that 'he has moved from the said address'.

4. However, since the prayer of the petitioner in the Civil Revision Petition is only to direct the lower court to pass order in I.A.No.573 of 2022 expeditiously and since the urgent notices have already been issued by the lower court, this Court deems it fit and proper to pass an order directing the lower court to consider and pass orders in I.A.No.573 of 2022 within a period of two (02) weeks from the date of receipt of a copy of this order.

5. Accordingly, the Civil Revision Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Revision Petition, shall stand closed.

SD/- N. SRIHARI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Junior Civil Judge-Cum-Judicial Magistrate of First Class, at Thorrur.
2. One CC to M/s GUNDLAPALLI V S S S SRUTHI, Advocate [OPUC]
3. One CC to M/s A. RAGHURAMA AURAVA, Advocate [OPUC]
4. Two CD Copies

MMK

HIGH COURT

PMD, J

DATED: 30/12/2022

ORDER

CRP.No.2398 of 2022



DISPOSING OF THE CIVIL REVISION PETITION

[Handwritten signature]
02/01/2023