

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH

MONDAY, THE THIRTIETH DAY OF MARCH

TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

CIVIL REVISION PETITION No.55 of 2015

BETWEEN

Gaddam Krishanaiah.

... PETITIONER

AND

Shaik Allaid Begum and others.

...RESPONDENTS

Counsel for the Petitioner: MR. VENKATESWARLU SANISETTY

Counsel for the Respondents: --NONE APPEARED—

The Court made the following:

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ORDER:

Petitioner is the plaintiff in O.S.No.1 of 2011, on the file of Principal Junior Civil Judge, Ongole, filed seeking perpetual injunction. On the basis of the writ statement filed by defendants therein,

the petitioner sought impleadment of revenue authorities as proposed defendants 4 to 7 vide I.A.No.2207 of 2014. The said application was dismissed by the Court below under the impugned order dated 27.11.2014, primarily, on the ground that the suit is coming up for cross-examination of P.W.1/petitioner and the petitioner is seeking adjournment of the suit by filing petition after petition. The Court below also found that the suit being for perpetual injunction, the presence of the revenue authorities is neither necessary nor proper. The said order is questioned in this revision.

2. Though I have heard the learned counsel for the petitioner, who questions the impugned order on the ground that the impleadment has become necessary on account of the written statement averments of the defendants, I am not inclined to interfere with the order impugned essentially for the reason that the suit is for perpetual injunction only alleging interference by defendants 1 to 3 and the revenue authorities are no way concerned with relief sought for in the suit, as the suit is not for a declaratory relief and the suit is at the stage of cross-examination of P.W.1. Hence, the application for impleadment was rightly rejected, particularly, as an earlier application of the petitioner for the same relief was dismissed for non-payment of batta.

Hence, no interference is called for.

The civil revision petition is accordingly dismissed. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

March 30, 2015

DSK