

THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

CIVIL REVISION PETITION No.464 OF 2023

ORDER:-

Aggrieved by the order dated 28.10.2022 passed in Interlocutory Application No.275 of 2018 in Original Suit No.47 of 2012 on the file of the Court of Principal Junior Civil Judge, Piler, the present Civil Revision Petition is filed. The revision petitioners are the petitioners/plaintiffs and the respondents are the respondents/defendants in the said application.

2. The Revision petitioners herein filed a suit *vide* Original Suit No.47 of 2012 on the file of the Court of Principal Junior Civil Judge, Piler for permanent injunction. Along with the said suit, they also filed an Interlocutory application *vide* I.A.No.275 of 2018 under Order XIII Rule 10 C.P.C seeking direction to the Sub-Collector, Madanapalli for cause production of 4-Register and DKT Register of Yerravaripalem Mandal which contains the information relating to Survey No.1353 of Udayamanikyam Revenue village of Yerravaripalem Mandal from the year 1954 till date which are in his custody. The said application was dismissed on the ground that the petitioners earlier availed a similar relief in Interlocutory Application No.335 of 2017 and I.A.No.336 of 2017 to summon the Revenue Divisional Officer for cause production of documents which

was allowed and the Revenue Divisional Officer has produced the available records. Aggrieved by the same, the present Revision is filed.

3. Heard Sri G.Venkata Reddy, learned counsel for the petitioners.

4. The learned counsel for the petitioners, in elaboration to what has been stated in the affidavit, contended that the Court below failed to see the purpose for filing I.A.No.275 of 2018. The Court below, without assigning any proper reasons, erroneously dismissed the said application. There is no bar in asking the Sub-collector to produce the documents, though asked the RDO for production of the same documents, as such, the Court below has erroneously dismissed the said application. The petitioners have good case to agitate their grievance before this Court and if the present Revision is not considered, the petitioners will be put to great hardship and irreparable loss. Hence, prayed to consider the Revision.

5. Perused the record. The petitioners herein filed suit for Permanent Injunction. They also filed Interlocutory Application No.335 of 2017 to summon the Revenue Divisional Officer for cause production of documents which was allowed by the Court below and wherein the Revenue Divisional Officer has also

produced the subject records. Again I.A.No.275 of 2018 was filed for production of documents available with the Sub-collector. Though the petitioners availed the same relief in I.A.No.335 of 2017 and proper reasons were not put forth by the petitioners in asking for production of documents by the Sub-collector by way of I.A.No.275 of 2018, the Court below has rightly dismissed said application. There is no illegality or impropriety in the said order and no valid grounds are raised in the present Revision warranting interference of this Court.

6. Accordingly, the Civil Revision Petition is dismissed. There shall be no order as to costs.

As a sequel, all the pending miscellaneous applications are closed.

JUSTICE RAVI CHEEMALAPATI

Date : 27.02.2023

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