

THE HON'BLE Ms. JUSTICE G. ROHINI

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Civil Revision Petition No. 1387 of 2011

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Dated: 21.04.2011

Between:

Nanneti JogaRao,
Palakol Mandal and another.

... Petitioners

And

Palaparthi Venkatarao,
Palakol Mandal.

... Respondent

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THE HON'BLE MS JUSTICE G.ROHINI

Civil Revision Petition No. 1387 of 2011

ORDER :

The defendants are the revisions petitioners. The suit is filed for injunction. While the matter was coming up trial, the plaintiff/respondent herein sought to amend the plaint stating that pending the suit the defendants had highhandedly trespassed into the southern part of the plaint schedule property and raised a thatched hut and therefore it is necessary to add further reliefs to declare that the plaint schedule property belongs to the plaintiff and to deliver the vacant possession by removing thatched house on the southern part of the plaint schedule property. The said application for amendment of plaint was allowed by the Court below and aggrieved by the said order the present revision petition is filed by the defendants.

Having heard the learned counsel for the petitioners and having perused the material available on record, I do not find any justifiable reason to interfere with the order under revision.

Having regard to the subsequent events brought to the notice of the Court, the Court below has rightly allowed the amendment as sought by the plaintiff. It is true that the defendants denied the allegation of encroachment and also raised an objection on the ground of limitation. However, these are the issues which require consideration in the main suit and there is no need for recording a finding while considering the petition for amendment of pleadings.

Accordingly, the Civil Revision Petition is dismissed. No costs.

G. ROHINI, J

Date: 21 .04.2011

KLP