

HON'BLE SRI JUSTICE SANJAY KUMAR

CIVIL REVISION PETITION No.6215 of 2012

and

CIVIL REVISION PETITION No.6254 of 2012

Date: October 31, 2014

CIVIL REVISION PETITION No.6215 of 2012:

Between:

1. A. Sarangapani & 26 others. ... Petitioners

and

1. M. Sambaiah & 3 others. ... Respondents

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CIVIL REVISION PETITION No.6254 of 2012:

Between:

1. A. Sarangapani & 26 others. ... Petitioners

and

1. M. Sambaiah & 3 others. ... Respondents

* * *

HON'BLE SRI JUSTICE SANJAY KUMAR

CIVIL REVISION PETITION No.6215 of 2012

and

CIVIL REVISION PETITION No.6254 of 2012

COMMON ORDER:

The plaintiffs in O.S.No.372 of 2002 on the file of the learned II Additional Senior Civil Judge, Warangal, are the petitioners. Evidence in the said suit was closed on 04.07.2012 and the matter was posted for arguments. Having availed six adjournments, the petitioners/plaintiffs filed I.A.No.880 of 2012 and I.A.No.881 of 2012. I.A.No.880 of 2012 was filed to reopen the evidence of the plaintiffs and I.A.No.881 of 2012 was filed to issue summons to one P. Janardhan, a retired

Mandal Revenue Officer, to give evidence in the case on their behalf. By common order dated 01.10.2012, the trial Court dismissed both the I.As. Aggrieved thereby, the petitioners/plaintiffs filed these two revision petitions.

2. Interim stay of further proceedings in the suit was granted by this Court on 18.12.2012 and the same is continuing.

3. Perusal of the order under revision reflects that no documents were placed before the trial Court to substantiate the claim of the petitioners/plaintiffs that the Mandal Revenue Officer needed to be examined in the matter. It was the case of the petitioners/plaintiffs that the said Mandal Revenue Officer had visited the suit site and prepared notes. However, this aspect of the matter was not even referred to in the pleadings of the petitioners/plaintiffs and no documents were produced before the trial Court to prove that the Mandal Revenue Officer had in fact created any official record pursuant to his alleged inspection. In the absence of these crucial requirements being satisfied, this Court sees no error in the order passed by the trial Court holding that the Mandal Revenue Officer was not required to be examined in the matter.

4. The civil revision petitions are devoid of merit and are accordingly dismissed. Interim stay dated 18.12.2012, extended on 17.10.2014, stands vacated. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J.

Date: October 31, 2014.
BSB

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