

**IN THE COURT OF THE PRINCIPAL JUNIOR CIVIL JUDGE-CUM-
JUDICIAL MAGISTRATE OF FIRST CLASS, SANGAREDDY
AT :: SANGAREDDY**

Present: Sri P.Laxmana Chary

Principal Junior Civil Judge-cum-Judicial Magistrate
of First Class, Sangareddy

Monday this the 24th day of June, 2024

O.S. No. 395 OF 2020

Between:-

Thottempudi Raveendra, S/o: Kondaiah,
Aged about 44 years, Occ: Business,
R/o. Flat No. G3, SLN Mayuri med woes,
Mayuri Nagar, Miyapur,
Opp: Bus body Unit, R.R. District.

...Plaintiff

And

1. Tegala Janga Reddy, S/o: Sriramulu Reddy,
Aged about: 44 years, Occ: Business,
R/o: Pati Village, Patancheru Mandal,
Sangareddy District.
2. Nallamothe Sankara Rao, S/o: N. Koteswara Rao,
Aged about: 45 years, Occ: Business,
R/o: H.No. 5-3-256, Plot No.48,
Venkataranagar Colony,
Kukatpally, Hyderabad.
3. Munnuri Laxman, S/o: Papaiah,
Aged about 46 years, Occ: Serpanch Pati Village,
R/o: Pati Village, Patancheru Mandal,
Sangareddy District.

4. L. Poornachand, S/o: L. Venkateswara Rao,
Aged about: 34 years, Occ: Business,
R/o: Flat No. 307, Kadiris Apurupa Urban,
Laxmi Nagar, besides Chirec Public School,
Botanical Garden Road, Serilingampally,
Kondapur, K.V. Rangareddy District.
5. Shaik Abdul Adil, S/o: Shaik Hameed,
Aged about: 30 years, Occ: Business,
R/o: H. No. 14-59, Doyens Township,
Lingampally, Serilingampally, Ranga Reddy District
6. Madupu Jayamma, W/o: Sailu,
Aged about 70 years, Occ: Housewife.
7. Madupu Radha Krishna, S/o: Sailu,
Aged about 47 years, Occ: Agriculture.

Defendants No.6 and 7 are residing at
H.No. 7-1-307/20-1, Subhash Nagar,
Sanath Nagar, Hyderabad.

...Defendants

This suit is coming before me for final hearing in the presence of Sri.G.N.Satyanarayana, advocate for the Plaintiff and Defendants no.1 to 7 were set-exparte and the matter having been heard and stood over for consideration till today, this court delivered the following: -

:: J U D G M E N T ::

1. The suit is filed for prohibitory perpetual injunction restraining the defendants, their agents, successors, legal representatives or any other person or persons claiming through them from interfering with the peaceful possession and enjoyment of the plaintiff over the plaint schedule properties.
2. The Plot No.8, land admeasuring 200 Sq. yards or 167.2 Sq.meters in Sy.No.197, situated at Rallies India Colony, Pati Village, Patancheru Mandal, Sangareddy District which is bounded by:

North : Neighbors Plot No.11;
South: Neighbors Plot No.6;
East : Neighbors Plot No.9;
West : 25' wide road;

(hereinafter referred as 'suit schedule-A property').

The Plot No.10, land admeasuring 200 Sq.yards or 167.2 Sq. meters in Sy.No.197, situated at Rallies India Colony, Pati Village, Patancheru Mandal, Sangareddy District which is bounded by:

North : 40' wide road;
South: Plot No.9;
East : 25' wide road;
West : Plot No.11;

(hereinafter referred as 'suit schedule-B property').

The Plot No.11, land admeasuring 200 Sq.yards or 167.2 Sq.meters in Sy.No.197, situated at Rallies India Colony, Pati Village, Patancheru Mandal, Sangareddy District which is bounded by:

North : 40' wide road;
South: Plot No.8;
East : Plot No.10;
West : 25' wide road;

(hereinafter referred as 'suit schedule-C property').

(hereinafter suit schedule A to C properties referred as 'suit schedule properties').

3. The brief averments of the plaint are that:-

(i) The plaintiff is absolute and owner and possessor of suit schedule "A to C" properties. The plaintiff purchased the suit schedule "A" property through a registered sale deed vide document bearing No.5142/2020, dated: 07-02-2020 from his vendor namely M.Vijay Kumar

S/o: M.Samuel registered with SRO, Sangareddy. The vendor of the plaintiff purchased the suit schedule "A" property through a registered sale deed vide document bearing No.6353/2016, dated: 21-03-2016 from his vendor Vanguri Satya, W/o: V.H.V.N.M. Prasad and Vanguri Vidya Mounani, D/o: late V.H.V.N.M. Prasad who succeeded the same from their father, and their father acquired the same through a registered sale deed vide document bearing No.357/1983, dated: 03-02-1983.

(ii) The plaintiff purchased the suit schedule "B" property through a registered sale deed vide document bearing No.5144/2020, dated: 07-02-2020 from his vendor Koyyada Manikya Reddy, S/o: Koyyada Ram Reddy registered at SRO Sangareddy, in turn the vendor of the plaintiff purchased the same property through registered sale deed vide document bearing No.5741/1988, dated: 13-10-1988 from his vendor Joshi Rajaiah, represented by his his GPA holder B.S.Raju, S/o: Subba Raju.

(iii) The plaintiff purchased the suit schedule "C" property through registered sale deed vide document bearing No.5141/2020, dated: 07-02-2020 from his vendor G.Nasimha Reddy, S/o: G.Narayana Reddy, in turn the vendor of the plaintiff purchased the same through registered sale deed vide document bearing No.709/1985, dated: 24-01-1985 from his vendor Joshi Rajaiah, represented by his GPA holder B.S. Raju, S/o: Subba Raju.

(iv) The plaintiff in order to protect the suit schedule "A to C" properties from third parties encroachment and planted boundary stones and also erected kadies in and around the suit schedule "A to C" properties. The suit schedule "A to C" properties are part and parcel of Rallies India Layout originally the said layout consisting of land admeasuring to an extent of Ac.16-38 guntas in Sy.Nos.195, 196, 197 and 200 situated at Pati Village, Patancheru Mandal, Sangareddy District.

(v) The plaintiff is in peaceful possession and enjoyment the suit schedule "A to C" properties from the date of purchase without any interference from third parties, the defendants who are having no right or authority over the suit schedule "A to C" properties on 28-06-2020 at about 10-00 a.m, the defendants along with anti social elements came to the suit schedule "A to C" properties and damaged the boundary stones and kadies, on knowing the same through neighbouring plot owners, the plaintiff rushed to the suit schedule "A to C" properties and resisted the defendants with the help of neighbouring plot owners. The plaintiff approached the concerned police who advised to take appropriate legal action, hence the plaintiff constrained to file this suit.

4. Summons of defendants No.1 and 3 returned for the reason refused which is deemed service of summons, defendants No.1 and 3 called absent, no representation, hence defendants No.1 and 3 were set-exparte. Summons served on defendants No.4 and 5, inspite of receiving summons also, the defendants No.4 and 5 did not choose to appear before the court or either personally or through their counsel, hence they were set-exparte. On receipt of summon defendant No.2 appeared through his counsel Sri. R. Venkatesham advocate, but subsequently inspite of completion of statutory period also, the defendant No.2 did not choose to file written statement, hence defendant No.2 was set-exparte. On receipt of summon defendants No.6 and 7 appeared through their counsel Sri. J. Shankar advocate, but subsequently inspite of completion of statutory period also, the defendants No.6 and 7 did not choose to file written statement, hence defendants No.6 and 7 were set-exparte and the suit was posted for exparte evidence.

5. During exparte evidence, the plaintiff himself examined as PW1 and got marked Exs.A1 to A11 and reported no further evidence, hence the plaintiff's side evidence closed and the suit was posted for exparte arguments.

6. Heard arguments and perused the record.

7. Now, the points for determination are:

I. Whether the Plaintiff is entitled for prohibitory perpetual injunction against the defendants No.1 to 7 as prayed for?

II. To What relief?

8. **POINT No.I :** As stated supra, during the exparte evidence, the plaintiff himself examined as PW1 by filing chief affidavit in-lieu of chief examination by re-iterating the averments of the plaint and got marked Exs.A1 to A11. Ex.A1 is certified copy of registered sale deed vide document bearing No.5142/2020, dated: 07-02-2020. Ex.A2 is certified copy of registered sale deed vide document bearing No.6353/2016, dated: 21-03-2016. Ex.A3 is certified copy of registered sale deed vide document bearing No.357/1983, dated: 03-02-1983. Ex.A4 is certified copy of registered sale deed vide document bearing No.5144/2020, dated: 07-02-2020. Ex.A5 is certified copy of registered sale deed vide document bearing No.5741/1988, dated: 13-10-1988. Ex.A6 is certified copy of registered sale deed vide document bearing No.5141/2020, dated: 07-02-2020. Ex.A7 is certified copy of registered sale deed vide document bearing No.709/1985, dated: 24-01-1985. Ex.A8 is certified copy of encumbrance certificate, dated:27-06-2020 of suit schedule "A" property. Ex.A9 is certified copy of encumbrance certificate, dated:27-06-2020 of suit schedule "B" property. Ex.A10 is certified copy of encumbrance certificate, dated:27-06-2020 of suit schedule "C" property. Ex.A11 is photographs(three in numbers) along with CD.

9. The learned counsel appearing on behalf of plaintiff argued that the plaintiff is absolute owner and possessor of the suit schedule A to C properties. He further argued that the defendants are no way concerned with the suit schedule properties, but they are trying to interfere into the suit schedule properties more particularly on 28-06-2020. He further argued that the plaintiff by producing cogent and convincing evidence established that the plaintiff is absolute owner and possessor of the suit schedule A to C properties and he is in possession and enjoyment over the same and the defendants without having any manner of right, title or interest over the same are trying to interfere with the peaceful possession and enjoyment of the plaintiff over the suit schedule A to C properties, hence the plaintiff is entitled for prohibitory perpetual injunction in respect of the suit schedule A to C properties. Finally, prayed to decree the suit as prayed for.

10. On appreciation of both oral and documentary evidence on behalf of the plaintiff, after hearing the learned counsel appearing on behalf of plaintiff and on careful scrutiny of the entire material on record, it is pertinent to mention that PW1 categorically deposed that he is absolute owner and possessor of the suit schedule A to C properties, but the defendants along with their henchmen are trying to interfere into the suit schedule properties. More over, there is no rebuttal evidence to disprove the case of the plaintiff as the defendants remained exparte. The unchallenged testimony of PW1 coupled with Exs.A1 to A11 proved the case of the plaintiff i.e., the defendants are trying to interfering with the peaceful possession and enjoyment of the plaintiff over the suit schedule A to C properties and the plaintiff is entitled for prohibitory perpetual injunction against the defendants. Accordingly, the Point No.I is answered in favour of the plaintiff.

11. **POINT NO.II:** As discussed supra, in point No.I, the plaintiff by producing cogent and convincing evidence sufficiently established that the defendants No.1 to 7 along with their henchmen are interfering with the peaceful possession and enjoyment of the plaintiff over the suit schedule properties. Hence, the plaintiff is entitled for decree of prohibitory perpetual injunction restraining the respondents No.1 to 7 not to interfere into the peaceful possession and enjoyment of the plaintiff over the suit schedule A to C properties. Accordingly, the point No.II is also answered in favour of the plaintiff.

In the result, the suit is decreed with costs by granting prohibitory perpetual injunction in favour of the plaintiff and against defendants No.1 to 7 restraining them, their agents, successors, legal representatives or any other person or persons claiming through them from interfering with the peaceful possession and enjoyment of the plaintiff over the plaint schedule A to C properties.

Typed to my dictation by the Stenographer, corrected and pronounced by me in the open court on this the 24th day of June, 2024.

**Prl. Junior Civil Judge-cum-
Judicial Magistrate of First Class
Sangareddy**

APPENDIX OF EVIDENCE
WITNESSES EXAMINED FOR

PLAINTIFF::

DEFENDANTS:: None

PW1: Thottempudi Raveendra

EXHIBITS MARKED ON BEHALF OF PLAINTIFF::

Ex.A1	Certified copy of registered sale deed vide Doc.No.5142/2020, dated: 07.02.2020.
Ex.A2	Certified copy of registered sale deed vide Doc.No.6353/2016, dated: 21.03.2016.
Ex.A3	Certified copy of registered sale deed vide Doc.No.357/1983, dated: 03.02.1983 .
Ex.A4	Certified copy of registered sale deed vide Doc.No.5144/2020, dated: 07.02.2020.
Ex.A5	Certified copy of registered sale deed vide Doc.No.5741/1988, dated: 13.10.1988.
Ex.A6	Certified copy of registered sale deed vide Doc.No.5141/2020, dated: 07.02.2020.
Ex.A7	Certified copy of registered sale deed vide Doc.No.709/1985, dated: 24.01.1985.
Ex.A8	Certified copy of Encumbrance certificate dated 27.06.2020 of Schedule of A – Property.
Ex.A9	Certified copy of Encumbrance certificate dated 27.06.2020 of Schedule of B – Property.
Ex.A10	Certified copy of Encumbrance certificate dated 27.06.2020 of Schedule of C – Property.
Ex.A11	Photographs (3 in number) along with CD.

EXHIBITS MARKED ON BEHALF OF DEFENDANTS:: Nil

Prl. Junior Civil Judge-cum
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Sangareddy