

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
THURSDAY, THE TWENTY THIRD DAY OF FEBRUARY,
TWO THOUSAND AND TWENTY THREE



:PRESENT:
THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
CIVIL REVISION PETITION NO: 411 OF 2023

Between:

Bommala Ramesh Babu, S/o (late) Subba Rao, Aged 51 yrs, D.No.30-12-1/85/2 Flat No.G-2 , Sarat Residency , Sivaji Nagar, 4th Road, Tirumala Nagar , Vadlapudi , Visakhapatnam.46

...Petitioner

AND

Kambala Surya Venkata Prasada Rao @ Suri Babu, S/o Apparao, Aged 47yrs, D.no.1-6-85/1 Akkireddypalem, BHPV Post, Visakhapatnam.12

...Respondent

WHEREAS the Petitioner above named through his Advocate Sri R.SIVA SAI SWARUP presented this Petition under Article 227 of the Constitution of India, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to pass an Order to declare the Impugned Order dated 23-12-2022 passed by the Principal Senior Civil Judge Court at Gajuwaka in E.P. No.69/2021 in O.S.No. 107/2018 Sending the Petitioner / J.D.R., into a Civil Prison by Invoking Under Order 21 Rule 37(2) of CR.P.C., without passing any Final Order U/o 21 Rule 38 of CPC in Continuance of that Order entertaining the Dhr to file petition further to sent again to Prison without conducting Enquiry as per the Law and Procedure, all are Illegal, Unlawful , Violation of the Statute , Violation of petitioner personal liberty there by to Set-Aside the Impugned Order dt. 23-12-2022 in the interest of the justice.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri R.Siva Sai Swarup, Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this CIVIL REVISION PETITION should not be admitted.

You viz:

Kambala Surya Venkata Prasada Rao @ Suri Babu, S/o Apparao, D.no.1-6-85/1 Akkireddypalem, BHPV Post, Visakhapatnam.12

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this CRP should not be admitted, on or before 09.03.2023, on which date the case stands posted for hearing.

The Court made the following:
ORDER:

“Notice before admission.”

Learned counsel for petitioner is permitted to take out personal notice on the respondents by registered post with acknowledgment due and file proof of service in the Registry.

Post on 09.03.2023.”

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

For

SECTION OFFICER

To,

1. Kambala Surya Venkata Prasada Rao @ Suri Babu, S/o Apparao, D.no.1-6-85/1 Akkireddypalem, BHPV Post, Visakhapatnam.12 (by RPAD- along with a copy of petition and memorandum of grounds)
2. One CC to Sri. R.Siva Sai Swarup, Advocate [OPUC]
3. One spare copy

MM

HIGH COURT

RCJ

DATED:23/02/2023

NOTE: POST ON 09.03.2023

NOTICE BEFORE ADMISSION

CRP.No.411 of 2023

