

APVZ020008152020



**IN THE COURT OF THE III ADDITIONAL JUNIOR CIVIL JUDGE (EXCISE) AT
VIZIANAGARAM.**

Present : **Smt. Ch. Sri Vidya,**
III Additional Civil Judge (Junior Division) (Excise),
Vizianagaram.

Monday, this the 29th day of June, 2026

O.S.No. 178 of 2020

BETWEEN:

1. Koyya Krishna, S/o. late Appayya, Hindu, aged about 65 years, cultivation, Residing at Gollalapeta Village, Vizianagaram Mandal and District.
2. Kilani Adilakshmi, W/O.Kiran Kumar, aged about 35 years, Hindu, House-hold duties, residing at Gollalapeta Village, Vizianagaram Mandal, Vizianagaram District.
...Plaintiffs.

AND

1. Koyya Bangaranna, W/O.late Appanna, aged about 60 years, Hindu, House-hold duties, residing at Gollalapeta Village, Vizianagaram Mandal, Vizianagaram District.
- 2.Koyya Pydiraju, S/O.late Appanna, aged about 45 years, Hindu, Cultivation, residing at Gollalapeta Village, Vizianagaram Mandal, Vizianagaram District.
...Defendants.

This suit is coming on this day i.e., on 29.06.2026 before me for final hearing in the presence of Sri P.Srinivasa Kumar, Advocate for the Plaintiffs and Sri K.V.N.Thammanasetty, Advocate for defendants and upon perusing the material available on record, and having stood over for consideration to this day, till this day, this Court delivered the the following:-

J U D G M E N T

1. This suit is filed by the plaintiffs against the defendants prays the Court to pass a Decree in their favour and against the defendants. (a) Directing the defendants to vacate and hand over the vacant physical possession of the plaint schedule mentioned house property to the plaintiffs, (b) Directing the defendants to pay damages at the rate of Rs.10,000/- (Rupees Ten Thousand Only) per month

from the Month of May, 2019 for the unauthorized use and occupation of the plaintiff schedule mentioned house property by the defendants to till delivery of vacant physical possession of the plaintiff schedule mentioned house property to the plaintiffs, (c) For costs of the suit. (d) To such other and proper reliefs as the Honourable Court deems fit to grant under the circumstances of the case.

2. The defendants filed written statement by denying the allegations of the plaintiff and prays to dismiss the suit with costs.

3. On perusal of the record, the following issues are settled on 25.07.2022 for trial :

1. Whether the defendants to vacate and hand over the vacant physical possession of plaintiff schedule mentioned house property to the plaintiffs?

2. Whether the defendants to pay damages @ 10,000/- p.m., from the month of May'2019 for the unauthorized use and occupation of plaintiff schedule mentioned house property by the defendants to till delivery of vacant physical possession of plaintiff schedule mentioned house property to the plaintiffs?

3. To what relief?

4. Plaintiff absent. Costs not paid. On perusal of the docket proceedings, this matter is being posted for commencement of trial since 30.08.2022. However, since more than 3 years lapsed and the plaintiff failed to commence trial, even after conditional order is passed and costs are imposed. Hence, this suit is dismissed for non-commencement of trial.

Pronounced by me in the open Court, this the 29th day of June, 2026.

**Sd/- Ch.Sri Vidya,
III Additional Civil Judge(Junior Division) (Excise),
Vizianagaram.**

APPENDIX OF EVIDENCE

No oral or documentary evidence adduced on either of the parties.

**Sd/- Ch.Sri Vidya,
III Additional Civil Judge(Junior Division) (Excise),
Vizianagaram.**