

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX



:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

AND

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

CIVIL MISCELLANEOUS APPEAL NO: 67 OF 2026

Between:

Gopagani Venkatesh, S/o Ramaiah, Aged about 32 years. Private Employee,
R/o Burravandlapalli H/o Settipalli Village, Sambepalli Mandal, Annamayya
District.

...Appellant/Respondent

AND

Gopagani Silpa, W/o Venkatesh, Aged about 28 years. Housewife, R/o
Burravandlapalli H/o Settipalli Village, Sambepalli Mandal, Annamayya District
(Now residing at Kavaligadda H/o Vangimalla Village, Veeraballi Mandal,
Annamayya District)

...Respondent/Petitioner

Petition under Section 28 of Hindu Marriages Act, 1955 praying that in
the circumstances stated in the memorandum of grounds filed in support of
the Civil Miscellaneous Appeal, the High Court may be pleased to allow the
Civil Miscellaneous Appeal by setting aside the Judgment, dated 07.11.2025
made in H.M.O.P No.49 of 2024 on the file of the Court of the Civil Judge
(Senior), Rayachoty, Annamayya District.

The Appeal coming on for hearing, upon perusing the Petition and the
grounds filed in support thereof and upon hearing the arguments of SRI V R
REDDY KOVVURI Advocate for the Appellant, the Court made the following

ORDER:

This appeal has been filed by the appellant/husband challenging the decree dated 7.11.2025 passed in H.M.O.P.No.49 of 2024 on the file of the Civil Judge (Senior Division) Rayachoty, in a petition for restitution of conjugal rights filed by the respondent/wife under Section 9 of the Hindu Marriage Act, 1955.

2. Heard the learned counsel for the appellant.

3. Learned counsel for the appellant submits that, in view of the acts of cruelty alleged against the respondent, no case for restitution of conjugal rights is made out.

4. Issue notice to the respondent.

5. In addition to the normal mode of service, the appellant is permitted to take out personal notice to the respondent by Registered Post and Acknowledgment Due and file proof of service in the Registry before the next date of listing.

6. List the matter on 17.03.2026.

7. Till the next date of listing, the operation of the decree, dated 7.11.2025 passed in H.M.O.P.No.49 of 2024 on the file of the Civil Judge (Senior Division) Rayachoty, shall remain stayed. The parties shall not remarry.

8. After the appearance of the respondent, the Court would consider to refer the parties for mediation.

SD/- T. SRINIVASA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

Au
SECTION OFFICER

To,

1. The Civil Judge (Senior Division) Rayachoty, Annamayya District
2. Gopagani Silpa, W/o Venkatesh, Aged about 28 years. Housewife, R/o Burravandlapalli H/o Settupalli Village, Sambepalli Mandal, Annamayya

- District (Now residing at Kavaligadda H/o Vangimalla Village, Veeraballi Mandal, Annamayya District)
3. Gopagani Venkatesh, S/o Ramaiah, Aged about 32 years. Private Employee, R/o Burravandlapalli H/o Settipalli Village, Sambepalli Mandal, Annamayya District. **(Addressees 2 & 3 by RPAD)**
 4. One CC to SRI. V R REDDY KOVVURI Advocate [OPUC]
 5. **Two spare copies**

PSR

HIGH COURT

**RNT,J
&
BM,J**

DATED:17/02/2026

NOTE: List the matter on 17.03.2026.

ORDER

CMA.No.67 of 2026

INTERIM STAY

