



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3299]

FRIDAY, THE TWENTIETH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

CIVIL REVISION PETITION NO: 570/2026

Between:

1. MOVVA MAJOR GNANA PRASAD, S/O. MOVVA VENKATA SUBBARAO, AGED ABOUT 56 YEARS, R/O. D.NO. 49-54-5/1, BALAJI HILLS, VISAKHAPATNAM, ANDHRA PRADESH-530013.
2. MOVVA HARINI,, W/O. MOVVA MAJOR GNANA PRASAD, AGED ABOUT 51 YEARS, R/O. D.NO. 49-54-5/1, BALAJI HILLS, VISAKHAPATNAM, ANDHRA PRADESH-530013.

...PETITIONER(S)

AND

1. VISAKHAPATNAM METROPOLITAN REGION DEVELOPMENT AUTHORITY, REP. BY ITS SECRETARY (FORMERLY VUDA).
2. GOLAGANA SURYA RAO, S/O. LATE RAMA MURTHY, AGED ABOUT 82 YEARS, R/O. D.NO. 9-13, MADHURAWADA, VISAKHAPATNAM- 530048
3. A JAGADISH, S/O. APPALA NAIDU, AGED ABOUT 65 YEARS, R/O. D.NO. 1-98-11, LIG-172, SECTOR V, MVP COLONY, VISAKHAPATNAM-530048.
4. SRI K LAKSHMI NARASIMHA MURTHY, S/O. NOT KNOWN, AGED ABOUT 61 YEARS, A.O., VUDA, SIRIPURAM, VISAKHAPATNAM, R/O. PLOT NO. LIG-18, D.NO 4-51-13/1/1, LAWSON'S BAY COLONY, VISAKHAPATNAM-530048.
5. PULLA RAMA KRISHNA, S/O. RAMA SWAMY, AGED ABOUT 63 YEARS, WORKING AS SENIOR ASSISTANT, ESTATE WING, VUDA,

UNDER SUSPENSION, R/O. PLOT NO. LIG-101, D.NO 2-18-13, SECTOR-4, MVP COLONY, VISAKHAPATNAM- 530048.

6.DARRU PONNAYYA, S/O. P. RAMA SWAMY, AGED ABOUT 63 YEARS, SR ASISTANT, ESTATE WING VUDA R/O LIG 101, D.NO. 2-18-13, SECTOR 6, MVP COLONY, VISAKHAPATNAM- 530048.

7.MUDDADA ALICE MANORANJANI, AGED ABOUT 53 YEARS. WORKED AS TAHSILDAR, L.A SECTION, VUDA, PRESENTLY WORKING AS TAHSILDAR, LAND REFORMS COLLECTRATE, VISAKHAPATNAM - 530048.

8.B SREEDHAR IAS, AGED ABOUT 57 YEARS. DISTRICT COLLECTOR, RANGA REDDY DISTRICT, TELANGANA (ANDHRA PRADESH).

...RESPONDENT(S):

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 topleased to set aside the order dated 11.12.2025 passed in I.A No. 892 of 2025 in O.S No. 652 of 2015, on the file of Court of the XII Additional District Judge, Visakhapatnam, and pass

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased please to stay all further proceedings in O.S No. 652 of 2015, on the file of the Court of the XII Additional District Judge, Visakhapatnam, pending disposal of this Civil Revision Petition, and pass

Counsel for the Petitioner(S):

1.SRINIVASA RAO BODDULURI

Counsel for the Respondent(S):

1.

The Court made the following:

THE HON'BLE SRI JUSTICE RAVI NATH TILHARI

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ORDER:-

Heard Sri Srinivasa Rao Bodduluri, learned counsel for the Petitioners on record.

2. This Civil Revision Petition under Article 227 of the Constitution of India, is filed by the Petitioners / Proposed Defendants 8 and 9.

3. The Plaintiff / 1st Respondent, Visakhapatnam Metropolitan Region Development Authority, (VUDA), filed O.S.No.652 of 2015 in the Court of XII Additional District Judge, Visakhapatnam [referred to as 'the Trial Court'], for cancellation of the Sale Deed dated 08.03.2011 executed in favour of the 1st Defendant in the suit.

4. In the said suit, the present Petitioners filed I.A.No.892 of 2025 after about ten years for their impleadment as Defendants 8 and 9. The alleged Agreement of Sale-cum-General Power of Attorney dated 08.03.2011 *vide* Document No.909/2011, is said to have been executed by the 1st Defendant in favour of the proposed Defendants 8 and 9. The said application has been dismissed by order dated 11.12.2025.

5. Challenging the said order dated 11.12.2025, the Petitioners / Proposed Defendants 8 and 9 have filed the Civil Revision Petition.

6. Learned counsel for the Petitioners submits that the Sale Deed in favour of the 1st Defendant and the Agreement of Sale-cum-General Power of Attorney in favour of the Defendants 8 and 9 are on the same date i.e. on

08.03.2011. He further submits that the 1st Defendant did not disclose about the Agreement of Sale executed by him though he had received the consideration under the said Agreement of Sale. Learned counsel further submits that if the impleadment is not allowed, the Petitioners would suffer irreparable loss and injury in as much as the 1st Defendant is not properly contesting the suit.

7. I have considered the above said submissions and perused the material on record.

8. As per the orders of the learned Trial Court, the facts are not in dispute that the suit in O.S.No.652 of 2015 was filed in the year 2015 and the evidence of the 1st Defendant was closed long back. Later on, the 1st Defendant has filed an application in I.A.No.720 of 2025 for reopening his evidence and the same was allowed on 07.10.2025. On 13.10.2025, the 1st Defendant was examined as D.W.1 in Chief and the matter was posted for cross-examination to 15.10.2025. Later on, D.W.1 / 1st Defendant did not appear before the Court in spite of several opportunities and finally his evidence was eschewed on 31.10.2025. The evidence of Defendants 2 to 5 was also closed on 07.11.2025 and the matter was posted for arguments. At the stage of arguments, the Petitioners filed an application seeking impleadment as Defendants 8 and 9. The learned Trial Court observed that both the Sale Deed in favour of the 1st Defendant and the Agreement of Sale-cum-General Power of Attorney are dated 08.03.2011. The application was filed more than 14 years after the alleged execution of the Power of Attorney.

The Trial Court further observed that the Petitioners remained silent throughout this period and approached the Court only when the matter was posted for arguments. Learned Trial Court observed that the document on which the Petitioners relied upon was only a photocopy of the alleged Agreement of Sale-cum-General Power of Attorney dated 08.03.2011. It is further observed that the document was not a Sale Deed and no Sale Deed was executed by the 1st Defendant in favour of the Petitioners herein.

9. An Agreement of Sale-cum-General Power of Attorney does not transfer any title or ownership. It is relevant to refer the case of **Suraj Lamp & Industries (P) Ltd.Tr.Dir vs. State of Haryana & Anr.**¹, in which the Hon'ble Apex Court held that the General Power of Attorney-cum-Agreement of Sale is not a sale and does not confer any title or ownership.

10. Learned Trial Court has considered and on the reasons assigned in the Judgment dismissed the petition for impleadment of the petitioners. The application for impleadment, filed under the authority of General Power of Attorney-cum-Agreement of Sale was submitted without producing the original document before the Trial Court. Even if, it be taken to be true, it could not confer any title to the Defendants 8 and 9. It is settled law that the Agreement of Sale-cum-General Power of Attorney is not a document to transfer the title. The suit was filed in the year 2015. For the last 10 years, the petitioners did not approach for impleadment and they approached only at the stage of the arguments. Learned Trial Court is justified, under the circumstances, in

¹ 2012 (1) SCC 656

observing that there is an unreasonable delay in filing the impleadment application.

11. So far as the contention of the learned counsel for the Petitioners that the 1st Defendant is not contesting the suit. This Court find no merit in such submissions. The record reflects that the evidence of the 1st Defendant was closed long back. Subsequently, he filed an application to reopen his evidence, which was allowed, and he submitted his chief examination as D.W.1.

12. I do not find any illegality in the impugned order. There is no case made out to exercise the supervising jurisdiction under Article 227 of the Constitution of India.

13. The Civil Revision Petition is ***dismissed***. There shall be no order as to costs.

As a sequel, interlocutory applications pending if any, shall stand closed.

RAVI NATH TILHARI, J

Date:20.02.2026
MS

THE HON'BLE SRI JUSTICE RAVI NATH TILHARI

CIVIL REVISION PETITION NO.570 OF 2026

Date:20.02.2026

MS