



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

[3332]

**TUESDAY, THE TWENTY FOURTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

CIVIL REVISION PETITION NO: 712/2025

Between:

Gottumukkala Suhasa

...PETITIONER

AND

Gottumukkala Srinivasa Raju and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. SUNKARA RAJENDRA PRASAD

Counsel for the Respondent(S):

1. V SURYA KIRAN KUMAR

The Court made the following ORDER:

Learned counsel for the petitioner expressed urgency.

2. Learned counsel for the respondents sought time on the ground that certain documents which are very much required for better adjudication of the Civil Revision Petition and to resolve the controversy involved.

3. Heard Sri Sunkara Rajendra Prasad, learned counsel for the petitioner and Sri V Surya Kiran Kumar, learned counsel for the respondents.

4. Learned counsel for the petitioner contended that in a suit for partition, the petitioner/plaintiff filed I.A.No.1421 of 2023 praying the Court to struck down issue Nos.8 & 9, which were wrongly framed. He further submitted that

despite bringing it to the notice of the Court that those issues are not connected to the suit, the property covered by registered will dated 14.11.2004 (suit document) and the alleged Codicil dated 18.12.2004 is not the subject matter of the said suit and the Court below cannot decide truth and validity of the said codicil in the petitioner's suits. He further submitted that despite the said fact, the Court below framed issues *vide* issue Nos.8 & 9. If the said issues are not struck down, the rights of the petitioners to prove his case would be affected.

5. On the other hand learned counsel for the respondents submitted that the petitioners are claiming property in Sy.No.11/1 whereas the same was subdivided as 11/1a and 11/1b and the said fact of division is very much required for adjudication of this case, as such, an application has been made under Right to Information Act, however, so far he has not received the same, accordingly, sought time.

6. Learned counsel for the petitioner opposed for grant of time on the ground that the trial Court is intending to proceed with the trial and not granting time; whereas the respondents are seeking time, as such, prayed to grant limited stay. The petitioner is having good case to succeed the Civil Revision Petition and if the suit is decided pending this Civil Revision Petition, he would be put to loss and right to prosecute his case would get defeated.

7. At this juncture, learned counsel brought to the notice of this Court that issue No.9 has already been withdrawn.

8. Perused the record and considered the submissions made by the learned counsel for the parties.

9. As rightly contended by the learned counsel for the petitioner, if the suit is proceeded without striking down the issue No.8, it affects the rights of the parties, and the purpose of filing this Civil Revision Petition would be defeated.

10. In the said view of the fact, this Court is inclined to grant stay of all further proceedings in O.S.No.221 of 2018 on the file of XII Additional District Judge, Vijayawada, for a period of two (02) weeks.

11. Post on 01.04.2026.

RAVI CHEEMALAPATI, J

Date: 24th March, 2026

RKS