

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

: PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
CIVIL REVISION PETITION NO: 712 OF 2025



Between:

Gottumukkala Suhasa, D/o G.V.S. Sesha Sal, aged about 31 years,
Properties and Private Employee, R/o. Plot No.1215, Road No.60-61, Jubilee
Hills, Hyderabad

...Petitioner/Plaintiff

AND

1. Gottumukkala Srinivasa Raju, S/o Late Satyanarayana Raju, aged about 51 years, 1st Floor, D.No.2-19-19, Dornakal Road, Vijayawada.
2. Saripalli Sarada, W/o Sitarama Raju, aged about 50 years. Properties and Husband's Protection, R/o.D.No.60-22-4/3A, SBI Colony No.1, Ashok Nagar, Vijayawada.
3. M/s. H.C.G. Vijay Oncology Private Limited, Rep. By its Director, Dr. M. Gopichand, S/o. late Nageswara Rao, aged about 48 years, D.No.33-25-33, Ch. Venkata Krishnaiah Street, Suryaraopet, Vijayawada.

...Respondents/Defendants

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 allow this Civil Revision Petition by setting aside the order passed in I.A.No.1421 of 2023 in O.S.No.221 of 2018 on the file of the XII Additional District Judge at Vijayawada dt.06.09.2024 pertaining to issue No.8 by struck down the issue No.8 which is wrongly framed.

IA NO: 1 OF 2025

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings in O.S.No.221 of 2018 on the file of the XII Additional District Judge at Vijayawada, Krishna District, pending disposal of CRP No. 712 of 2025, on the file of the High Court.

The Petition coming on for hearing and upon perusing the petition and memorandum of grounds filed herein support thereof and the earlier orders of the High Court dated. 17.04.2025 , 25.07.2025 & 22.08.2025 made herein and upon hearing the arguments of Sri SUNKARA RAJENDRA PRASAD Advocate for the Petitioner, and of SRI V.SURYA KIRAN KUMAR, Advocate for the Respondent No.1, 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.

//TRUE COPY//

SDI-SK MD RAFI
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The XII Additional District Judge at Vijayawada, Krishna District
2. One CC to Sri. Sunkara Rajendra Prasad, Advocate [OPUC]
3. One CC to Sri V.Surya Kiran Kumar, Advocate [OPUC]
4. One spare copy

KSR

HIGH COURT

RC, J

DATED: 24.03.2026

Post on 01.04.2026.

ORDER

CRP.No.712 of 2025

STAY

