



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

[3330]

**MONDAY, THE FOURTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX**

PRESENT

**THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO
CIVIL REVISION PETITION NO: 843/2026**

Between:

1. SMT. SONTYANA SWAPNA, , W/O S. SIVA BABU, AGE 37
YEARS, OCC NURSE, R/O YSR NAGAR, VIZIANAGARAM,
VIZIANAGARAM DIST.

...PETITIONER

AND

1. SMT ALUGOLU PYDIRAJU, W/o Veerabhadru, Age 56 years,
Occ House-Wife, R/o Jonnaguddi, Viziangaram, Vizianagaram
Dist.

...RESPONDENT

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 set aside the warrants in EP No. 182 of 2024, dated 21-01-2026 in OS No. 716 of 2023, before the Hon'ble Spl Judicial Magistrate of First Class for Trial of Cases under AP Prohibition and Excise Act Cum III Addl. Civil Judge (Junior Division) at Vizianagaram

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 to dispense with the Certified Copy of the impugned warrants dated 21.01.2026, passed in E.P. NO. 182/2024 IN O.S. NO. 716/2023, on the file of the SPL JUDICIAL MAGISTRATE OF FIRST CLASS FOR TRIAL OF CASES UNDER AP PROHIBITION AND EXCISE ACT CUM III ADDITIONAL CIVIL JUDGE (JUNIOR DIVISION): AT VIZIANAGARAM. in the above C.R.P.

IA NO: 2 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 to grant interim stay on all further proceedings in the EP No. 182 of 2024, including the warrants issued, dated: 21-01-2026 in OS No. 716 of 2023, before the Hon'ble Spl Judicial Magistrate of First Class for Trial of Cases under AP Prohibition and Excise Act Cum III Addl. Civil Judge (Junior Division) at Vizianagaram, till the disposal of the main case

Counsel for the Petitioner:

1. MANDAPATI MURALI KRISHNA

Counsel for the Respondent:

1. KANAKALA DEVI PRASANNAKUMAR

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO
CIVIL REVISION PETITION NO: 843 of 2026

ORDER:-

The present Civil Revision Petition is filed under Section 115 of the Code of Civil Procedure, 1908 seeking to set aside the warrant issued under Order XXI Rule 43 of the C.P.C. in E.P.No.182 of 2024, dated 21.01.2026, in O.S.No.716 of 2023 on the file of the learned Special Judicial Magistrate of First Class for Trial of cases under A.P.Prohibition and Excise Act-cum-III Additional Civil Judge (Junior Division) at Vizianagaram.

2. Heard Sri Mandapati Murali Krishna, learned counsel for the petitioner and Sri Kanakala Devi Prasannakumar, learned counsel for the respondent.

3. On 13.03.2026, upon hearing the arguments advanced by the learned counsel for the petitioner, this Court took a lenient view and granted interim stay as prayed for, on condition of the petitioner depositing an amount Rs.1,00,000/-(Rupees One Lakh only) within a period of four weeks, failing which interim stay granted shall automatically stand cancelled without further reference of this Court.

4. Accordingly, the petitioner herein has deposited the said amount. Now, even if this Court set aside the impugned Rule 43 notice and warrant, the petitioner gains nothing.

5. Learned counsel for the petitioner also stated that the petitioner herein filed an application to set aside the *ex parte* decree along with an application under Section 5 of the Limitation Act.

6. Hence, the present Civil Revision Petition is disposed of directing the petitioner herein to prosecute the application filed for setting aside the *ex parte* decree before the trial Court. However, the respondent is directed not to insist the Execution Petition for a period of three weeks from today. There shall be no order as to costs.

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

JUSTICE TARLADA RAJASEKHAR RAO

Date: 04.05.2026

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THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

Civil Revision Petition No.843 of 2026

04.05.2026

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