



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

[3330]

FRIDAY, THE FIRST DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

CIVIL REVISION PETITION No. 971/2026

BETWEEN:

1. PATHIVADA ROOPCHAND, S/o. LATE GURUNAIDU, AGED 31 YEARS, R/o. JANAHAITA SCHOOL, NARSIPURAM VILLAGE, PARVATHIPURAM MANDAL, MANYAM DISTRICT.
2. SMT. MATCHA VIJAYA LAKSHMI, W/o. KISHORE BABU, AGED 38 YEARS, JANAHAITA SCHOOL, NARSIPURAM VILLAGE, PARVATHIPURAM MANDAL, MANYAM DISTRICT.

...PETITIONER(S)

AND

1. PATHIVADA TRINADH RAO, S/o. LATE SURYA NARYANA, AGED 44 YEARS, R/o. JANAHAITA SCHOOL, NARSIPURAM VILLAGE, PARVATHIPURAM MANDAL, MANYAM DISTRICT-535501.
2. SMT KANTU VIMALA PARTVATHI, W/o. MURALI MOHAN AGED 51 YEARS, JANAHAITA SCHOOL, NARSIPURAM VILLAGE, PARVATHIPURAM MANDAL, MANYAM DISTRICT-535501. (NOTE 2ND RESPONDENT IS NOT NECESSARY PARTY IN THIS REVISION)

...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 to Set aside the order dated 23.01.2026 passed in T.O.P. No. 26 of 2025 on the file of the Principle District Judge,

Vizianagaram whereby O.S. No. 10 of 2023 on the file of the II Addl. District Judge, Parvathipuram and O.S. No. 176 of 2022 on the file of the I Addl. Junior Civil Judge, Parvathipuram was ordered to be transferred to V Addl. District Court Vizianagaram and Pass such other order or orders.

Counsel for the Petitioner(S):

1. G SAI NARAYANA RAO

Counsel for the Respondent(S):

1.

The Court made the following:

ORDER:

The present Civil Revision Petition is filed to set aside the order dated 23.01.2026 passed in T.O.P No.26 of 2025 on the file of the Principle District Judge, Vizianagaram, whereby O.S. No.10 of 2023, on the file of the II Additional District Judge, Parvathipuram and O.S.No. 176 of 2022, on the file of the file of the I Additional Junior Civil Judge, Parvathipuram, was ordered to be transferred to V Additional District Court, Vizianagaram.

2. Suit for partition was filed by the plaintiff in suit O.S. No. 10 of 2023 on the file of II Additional District Judge, Parvathipuram.

3. The defendant in the suit O.S. No. 10 of 2003, filed suit for injunction 176 of 2022, on the file of the I Additional Junior Civil Judge, Parvathipuram.

4. While the suits are pending for trial the plaintiff who filed suit for partition in O.S. No: 10 of 2023 moved an application under section 24 of CPC to transfer and club the suit O.S. No 176 of 2022 pending on the file of the file of the I Addl Junior Civil Judge Parvathipuram to conduct joint trial together to avoid contradictory Judgments.

5. The learned District Judge Parvathipuram through impugned order dated 23.01.2026 has transferred the two suits to V Additional District Judge, Vizianagram. The said order is under challenge before

this Court on the grounds that suit schedule properties in both the suits are situated in the Territorial Jurisdiction of the II Additional District Judge, Parvathipuram and the prayer is to transfer the suit from the Court of I. Additional Junior Civil Judge to II Additional District Judge and finding of the learned District Judge affects the learned Presiding Officer where no allegation made by the plaintiff who is seeking transfer of his suit and to club with the suit filed by the revision petitioner, and prayed to allow the Civil Revision Petition and to set aside the impugned order.

6. Despite service of notices to the respondents, none made any appearance. Having heard learned counsel for the petitioner, as rightly argued, by the counsel for the petitioner, both the parties and suit properties are situated at Parvathipuram and the prayer is to transfer the suit O.S. No. 176 of 2022 pending on the file of I Additional Junior Civil Judge Court, filed for injunction to transfer to the Court of II Additional District Judge, Parvathipuram, for joint trial. This aspect has not been dealt with by the learned District Court, hence, the order impugned in T.O.P. No. 26 of 2005 dated 23.01.2026 is hereby set aside and remanded back to the learned District Judge to consider afresh on the grounds that raised in the T.O.P. No. 26 of 2005 and any other grounds that raised by the revision petitioner and respondents in revision petition.

7. Accordingly, the Civil Revision Petition is allowed and the impugned order dated 23.01.2026 passed in T.O.P No.26 of 2025, on the file of the Principle District Judge, Vizianagaram, is hereby set aside and remanded back to the District Court, for fresh consideration. However, no order as to costs.

As a sequel, all the interlocutory applications, if any, pending in this Civil Revision Petition shall stand closed.

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JUSTICE TARLADA RAJASEKHAR RAO

Date: 01.05.2026

PBS/Harin

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THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

C.R.P.No. 971 OF 2026

Date: 01-05-2026

PBS/Harin