

APHC010174042008



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

[3545]

WEDNESDAY, THE EIGHTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

**PRESENT
THE HONOURABLE SRI JUSTICE BATTU DEVANAND
THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA**

FAMILY COURT APPEAL (FCA) NO: 112 OF 2008

Between:

1.SMT.NAGA GOWRI MANI, W/O.S.NAVEEN PRATAP KUMAR
R/O.PLOT NO.140, BAIRAGIPATTEDA, TIRUPATI, CHITTOOR
DISTRICT.

...APPELLANT

AND

1.SUNKARA NAVEEN PRATAP KUMAR, S/o.N.Krishna Kumar R/o.Plot
No.22, Jayanagar Colony, Bairagipatteda, Tirupati, Chittoor District.

...RESPONDENT

Appeal under section_____ against orders

IA NO: 1 OF 2008(FCAMP 92 OF 2008)

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 condone the delay of 51 days in preferring the present appeal against the decree and order dated 07.11.2007 passed in FCOP No.177 of 2005 on the file of the Judge, Family Court cum V Addl.District Jdudge, Tirupati

IA NO: 2 OF 2008(FCAMP 107 OF 2008)

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 suspend the operation of the decree and order dated 7-11-2007 passed in

FCOP.No. 177 of 2005 on the file of the Judge, Family Court cum V Addl.
District Judge, Tirupathi

Counsel for the Appellant:

1.V S R MURTHY

Counsel for the Respondent:

1.T S ANIRUDH REDDY

The Court made the following:

THE HON'BLE SRI JUSTICE BATTU DEVANAND
&
THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

FAMILY COURT APPEAL No.112 of 2008

JUDGMENT: *(Per Hon'ble Sri Justice Battu Devanand)*

This appeal is filed against the order dated 07.11.2007 in F.C.O.P.No.177 of 2005 passed by the learned Judge, Family Court-cum-V Additional District and Sessions Court, Tirupati.

2. The appellant before this Court is the respondent and the respondent is the petitioner in F.C.O.P.No.177 of 2005.

3. For the sake of convenience, the parties herein are referred as they are arrayed in the Court below.

4. The petitioner filed F.C.O.P.No.177 of 2005 on the file of the learned Judge, Family Court-cum-V Additional District and Sessions Court, Tirupati, for dissolution of marriage dated 07.12.2001 and divorce. After considering the matter in detail, the learned Judge, Family Court-cum-V Additional District and Sessions Court, Tirupati, allowed the petition by dissolving the marriage between the parties and granted divorce. Aggrieved by the said order, the respondent filed this Family Court Appeal.

5. This matter underwent several adjournments.

6. During the course of hearing today, learned counsel for the appellant/respondent would submit that to get the latest status and

instructions from his client, he made number of attempts and finally he sent a letter through registered post to his client but the said envelop was returned with an endorsement that the 'Addressee refused'. Accordingly, it is returned to the sender i.e., learned counsel for the appellant. A copy of the postal endorsement indicating the refusal by the appellant is placed on record.

7. In the light of the above fact, learned counsel would submit that the appellant has no interest to prosecute the case further and accordingly prayed to pass appropriate orders.

8. Considering the facts and circumstances of the case, we are of the considered view that the appellant has no interest to prosecute the case as she refused to receive the letter from the advocate and she is not willing to send the proper instructions to proceed with the matter.

9. Hence, this Family Court Appeal is dismissed for non prosecution.

10. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE BATTU DEVANAND

JUSTICE A.HARI HARANADHA SARMA

Dated: 08.10.2025

TJN

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THE HON'BLE SRI JUSTICE BATTU DEVANAND

&

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

FAMILY COURT APPEAL (FCA) NO: 112 OF 2008

Dated: 08.10.2025

TJN