

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
WEDNESDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

&

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

APPEAL SUIT NO: 216 OF 2026

Between:

Pogaku Jaithun Bee, W/o Late Ameer Sab,
S/o. Kareem Sab, aged 85 years, Occ: Cultivation;
R/o Mohammadabad Village, Amadaguru Mandal,
Sri Satya Sai District, Erstwhile Ananthapur District.

Appellant/
1st Defendant

And

1. Pogaku Khader Vali Sab (Died)
2. Pogaku Khasim Sab (Died)
3. Pogaku Razak Sab (Died)
4. Pogaku Elahi Sab, S/o Late Kareem Sab,
aged about 88 years, Occ: Agriculturist,
R/o Mohammadabad, Amadaguru Mandal,
Sri Satya Sai District,
Erstwhile Ananthapur District – 515 561.
5. Pogaku Mahaboob Basha, S/o Khadar Vali,
aged 60 years, R/o. D.No.1/76, Main Road,
Mahammadabad, Amadaguru Mandal,
Sri Satya Sai District,
Erstwhile Ananthapur District – 515 561.
6. Pogaku Mahammad Vali, S/o Khadar Vali,
aged 68 years, R/o. D.No.1/63, Main Road,
Mahammadabad, Amadaguru Mandal,
Sri Satya Sai District,
Erstwhile Ananthapur District - 515 561.
7. Pogaku Basha (Died)
8. Pogaku Shameer Basha, S/o Khadar Vali,
aged 52 years, R/o. D.No.1/77, Main Road,
Mahammadabad, Amadaguru Mandal,
Sri Satya Sai District,
Erstwhile Ananthapur District – 515 561.

9. Pogaku Baba Fakruddin, S/o Khadar Vali, aged 58 years, R/o. D.No.1/77, Mahammadabad, Amadaguru Mandal, Sri Satya Sai District, Erstwhile Ananthapur District – 515 561
10. Shaik Wahida, W/o Shabbir Ahammed, aged 53 years, R/o. D.No.8/152, Vali Sab Road, Kadiri Town and Mandal, Ananthapur District – 515 591.
11. Palagiri Rajiya, W/o Abdul Hameed, aged 72 years, R/o. D.No.2-130, Main Road, Mahammadabad, Amadaguru Mandal, Sri Satya Sai District, Erstwhile Ananthapur District - 515 561.
12. Pogaku Babu Fakruddin, S/o Pogaku Razak Sab, aged 62 years, Mahammadabad, Amadaguru Mandal, Sri Satya Sai District, Erstwhile Ananthapur District – 515 561.
13. Pogaku Musthafa, S/o Pogaku Razak Sab, aged 60 years, Mahammadabad, Amadaguru Mandal, Sri Satya Sai District, Erstwhile Ananthapur District - 515 561.
14. Pogaku Chand Basha, S/o Pogaku Razak Sab, aged 58 years, Mahammadabad, Amadaguru Mandal, Sri Satya Sai District, Erstwhile Ananthapur District – 515 561.
15. S. Haseena Begum, W/o Riyaz Basha, aged 66 years, Mahammadabad, Amadaguru Mandal, Sri Satya Sai District, Erstwhile Ananthapur District – 515 561.
16. A. Alla Bakshu, S/o Masthan Vali, aged 72 years, R/o D.No.1-663, Main Road, Mudigubba Village and Mandal, Ananthapuramu District – 515 511.
17. A. Tahsim, D/o A. Alla Bakshu, aged 36 years, R/o D.No.1-663, Main Road, Mudigubba Village and Mandal, Ananthapuramu District - 515 511.

18. A. Jaiba, D/o A. Alla Bakshu, aged 34 years.
R/o D.No.1-663, Main Road,
Mudigubba Village and Mandal,
Ananthapuramu District - 515 511.
19. P. Shabbir Basha, S/o Late Khasim Sab,
aged 64 years, Occ: Cultivation, Main Road,
Mudigubba Village and Mandal,
Ananthapuramu District - 515 511.
20. P. Baba Fakruddin, S/o Late Khasim Sab,
aged 59 years, Occ: Cultivation, Main Road,
Mudigubba Village and Mandal,
Ananthapuramu District - 515 511.
21. P. Fayaz Basha, S/o Late Khasim Sab,
aged 56 years, Occ: Cultivation, Main Road,
Mudigubba Village and Mandal,
Ananthapuramu District - 515 511.
22. K. Yahiya Bee, W/o K. Shukur, aged 75 years,
Occ: Cultivation, Main Road,
Mudigubba Village and Mandal,
Ananthapuramu District - 515 511.
23. B.S. Jaheda, W/o Ilahi Sab, aged 73 years,
Occ: Cultivation, Main Road,
Mudigubba Village and Mandal,
Ananthapuramu District - 515 511.
24. S. Nannima, W/o Hyder Valli, aged 71 years,
Occ: Cultivation, Main Road,
Mudigubba Village and Mandal,
Ananthapuramu District - 515 511.
25. S. Muneer Ahammed, S/o Allabakshu,
aged 72 years, Occ: Cultivation, Main Road,
Mudigubba Village and Mandal,
Ananthapuramu District - 515 511.
26. S. Sameer, S/o Muneer Ahammed,
aged 32 years, Occ: Cultivation, Main Road,
Mudigubba Village and Mandal,
Ananthapuramu District - 515 511.

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27. S. Ruihana, D/o Muneer Ahammed,
aged 38 years, Occ: Cultivation, Main Road,
Mudigubba Village and Mandal,
Ananthapuramu District - 515 511.
28. Ashiya Begum, D/o Muneer Ahammed,
aged 36 years, Occ: Cultivation, Main Road,
Mudigubba Village and Mandal,
Ananthapuramu District - 515 511.
29. Tabasum, D/o Muneer Ahammed, aged 34 years,
Occ: Cultivation, Main Road,
Mudigubba Village and Mandal,
Ananthapuramu District - 515 511.
30. M. Mubarak, W/o Barkathulla, aged 35 years,
Occ: Cultivation, Main Road,
Mudigubba Village and Mandal,
Ananthapuramu District - 515 511.
31. G. Soni, W/o K. Ashraf, aged 33 years,
Occ: Agriculture, Main Road, Mahammadabad,
Amadaguru Mandal, Main Road, Sri Satya Sai District,
Erstwhile Ananthapuramu District – 515 561. Respondents/
Plaintiffs
32. K. Sukur, S/o Khader Vali, aged 65 years,
Occ: Business, T.B. Cross, Near Mothersa,
Bagepalli Village, Chikbalapur Post,
Karnataka State – 56 1207.
33. K. Musthafa, S/o Khader Vali, aged 62 years,
Occ: Business, Near Market Yard, Hindupur Road,
Gorantla Village and Mandal,
Ananthapur District – 515 231.
34. K. Shafi, S/o Khader Vali, aged 60 years,
Occ: Business, Mukkadipet, Hindupur Town and Mandal,
Sri Satya Sai District, Erstwhile Ananthapur District – 515 201.
35. Haseena, W/o Hydervali, aged 55 years,
Occ: Business, R/o. D.No.1-478-1G1,
Gandhi Nagar, Kadir Town and Mandal,
Ananthapur District – 515 591.

36. Akhila, W/o Alamvali, aged 54 years,
Occ: Business, R/o. D.No.15/462-1, PRT Street,
Dharmavaram Town and Mandal, Sri Satya Sai District,
Erstwhile Ananthapur District – 515 671.
37. Fathima, W/o Abdul Khader (Died)
38. Pogaku Khushnida, W/o Late Pogaku Basha,
aged 65 years, R/o Mahammadabad Village,
Amadaguru Mandal, Sri Satya Sai District,
Ananthapuramu District – 515 561.
39. Pogaku Niha Firdosh, D/o Pogaku Basha,
aged 40 years, Occ: Cultivation,
R/o Mahammadabad Village, Amadaguru Mandal,
Ananthapuramu District – 515 561.
40. Bagepalli Abdul Nabi, S/o Abdul Khader,
aged 64 years, Occ: Cultivation, D.No.1-13,
Mahammadabad, Amadaguru Mandal,
Sri Satya Sai District, Ananthapuramu District – 515 561
41. N. Muntaz, W/o Khader Vali, aged 75 years,
Occ: Cultivation, R/o. D.No.1-21, Mahammadabad,
Amadaguru Mandal, Sri Satya Sai District,
Ananthapuram District – 515 561.
42. S. Gulzar, W/o Hyder Vali, aged 65 years,
Occ: Cultivation, R/o. D.No.5/205, Main Road,
Kondakamarla Village, ODC Mandal,
Ananthapuram District – 515 531.
43. Dilshad, W/o Sadik Valli, aged 61 years,
Occ: Cultivation, R/o. D.No.1/21, Mahammadabad,
Amadaguru Mandal, Sri Satya Sai District,
Ananthapuram District – 515 561.
44. Sayyad Khursheed, W/o Mahammad Shafi,
aged 61 years, Occ: Cultivation, R/o. D.No.122-38,
Pathapet, Vempalli Village and Mandal,
YSR Kadapa District – 516 329.

Respondents/
Defendants 2 to 14

Appeal Under Section 96 r/w. Order 41 Rule 1 of CPC is filed, against Being aggrieved by the Decree and Judgment dt. 22.12.2025 passed in O.S. No. 131 of 2015 on the file of Court of Learned I Additional District Judge, Anantapur.

IA NO: 1 OF 2026

Petition under Section 151 CPC is filed, praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the final decree proceedings pursuant to the Judgment and Preliminary Decree dated 22.12.2025 passed in O.S. No.131 of 2015 on the file of the Court of the learned I Additional District Judge, Ananthapuramu, Pending disposal of AS 216 of 2026, on the file of the High Court.

The Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SMT. NIMMAGADDA REVATHI Advocate for the Petitioner, and the Court made the following.

ORDER

The suit for partition filed by the plaintiffs/respondents 1 to 31 has been partly decreed for the preliminary decree.

2. The 1st defendant in the suit is the appellant.

3. Issue notice to all the respondents.

4 In addition to the normal mode of service, the appellant is permitted to take out personal notice by Registered Post with Acknowledgement Due and file proof of service by the next date.

5. List on 08.07.2026.

6. Till the next date of listing, the proceedings for preparation of final decree may go on but final decree shall not be passed.

Sd/-K.SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Additional District Judge, Ananathapuram.
2. Pogaku Elahi Sab, S/o Late Kareem Sab, aged about 88 years, Occ Agriculturist, R/o Mahammadabad, Amadaguru Mandal, Sri Satya Sai District, Erstwhile Ananthapur District - 515 561.
3. Pogaku Mahaboob Basha, , S/o Khadar Vali, aged 60 years, R/o. D.No.1/76, Main Road, Mahammadabad, Amadaguru Mandal, Sri Satya Sai District, Erstwhile Ananthapur District - 515 561.
4. Pogaku Mahammad Vali, , S/o Khadar Vali, aged 68 years, R/o. D.No.1/63, Main Road, Mahammadabad, Amadaguru Mandal, Sri Satya Sai District, Erstwhile Ananthapur District - 515 561.
5. Pogaku Shameer Basha, S/o Khadar Vali, aged 52 years, R/o. D.No. 1/77, Main Road, Mahammadabad, Amadaguru Mandal, Sri Satya Sai District, Erstwhile Ananthapur District - 515 561.
6. Pogaku Baba Fakruddin, , S/o Khadar Vali, aged 58 years, R/o. D.No.1/77, Mahammadabad, Amadaguru Mandal, Sri Satya Sai District, Erstwhile Ananthapur District - 515 561
7. Shaik Wahida, W/o Shabbir Ahammed, aged 53 years, R/o. D.No.8/152, Vali Sab Road, Kadiri Town and Mandal, Ananthapur District - 515 591.
8. Palagiri Rajiya, , W/o Abdul Hameed, aged 72 years, R/o. D.No.2-130, Main Road, Mahammadabad, Amadaguru Mandal, Sri Satya Sai District, Erstwhile Ananthapur District - 515 561.

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11. Pogaku Chand Basha, S/o Pogaku Razak Sab, aged 58 years, Mahammadabad, Amadaguru Mandal, Sri Satya Sai District, Erstwhile Ananthapur District - 515 561.
12. S. Haseena Begum, W/o Riyaz Basha, aged 66 years, Mahammadabad, Amadaguru Mandal, Sri Satya Sai District, Erstwhile Ananthapur District - 515 561.
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14. A. Tahsim, D/o A. Alla Bakshu, aged 36 years, R/o D.No. 1-663, Main Road, Mudigubba Village and Mandal, Ananthapuramu District -515511.
15. A. Jaiba, D/o A. Alla Bakshu, aged 34 years. R/o D.No. 1-663, Main Road, Mudigubba Village and Mandal, Ananthapuramu District - 515 511.
16. P. Shabbir Basha, S/o Late Khasim Sab, aged 64 years, Occ Cultivation, Main Road, Mudigubba Village and Mandal, Ananthapuramu District -515511.
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18. P. Fayaz Basha, S/o Late Khasim Sab, aged 56 years, Occ Cultivation, Main Road, Mudigubba Village and Mandal, Ananthapuramu District - 515 511.

19. K. Yahiya Bee, W/o K. Shukur, aged 75 years Occ Cultivation, Main Road, Mudigubba Village and Mandal, Ananthapuramu District - 515 511.
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40. Sayyad Khursheed, W/o Mahammad Shafi, aged 61 years, Occ Cultivation, R/o. D.No.122-38, Pathapet, Vempalli Village and Mandal, YSR Kadapa District - 516 329. **(2 to 40 by RPAD)**
41. One CC to Smt. NIMMAGADDA REVATHI Advocate [OPUC]
42. **Two spare copies.**

KSR

HIGH COURT

RNT, J

&

BM, J

DATED:29/04/2026

List on 08.07.2026.

ORDER

AS.No.216 of 2026

DIRECTION

