

[3208]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE TWENTY FIRST DAY OF APRIL

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE D RAMESH

CIVIL REVISION PETITION NO: 1170 OF 2026



Between:

Kesiredy Dharma Rao, S/o.Anjaneyulu, aged about 50 years, R/o.d.No.17-21-27/1, Ganesh Nagar, Undrajavaram Road, Tanuku, West Godavari District.

.... Petitioner

AND

Chikkala Bhaskara Rao, S/o.Suryarao, aged about 54 years, R/o.D.No.17-23-5, Jangam Cheruvu Tanuku, West Godavari District.

.... Respondents

Petition under Article 227 of the Constitution of India is filed, being aggrieved by the Order dt 01-04-2026 in I.A.No.280 of 2026 in O.S.No.251 of 2019 on the file of the court of Principal Civil Judge (Junior Division)-cum-Judicial Magistrate of First Class at Tanuku, West Godavari District.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI SAI GANGADHAR CHAMARTY Advocate for the Petitioner, and the Court made the following.

ORDER

While pending the O.S.No.251 of 2019, on the file of Principal Civil Judge (Junior Division)-cum-Judicial Magistrate of First Class at Tanuku, the petitioner herein filed I.A.No.280 of 2026 seeking to reopen the suit and I.A.No.281 of 2026 was filed to redirect the advocate commissioner to revisit the suit site for measurement with the assistance of rover/satellite survey.

2. The contention of the learned counsel for the petitioner is that instead of measuring the entire property, the Advocate Commissioner has measured only the property which was occupied by the respondent-defendant.

3. He submitted that the petitioner has filed the present I.A.No.280 of 2026 seeking to reopen the suit for purpose of redirecting advocate commissioner to measure the schedule property. But the same was rejected on the ground that without setting aside the earlier Advocate Commissioner's report. It is also observed by the court below that there is no feasibility to pass such orders.

4. The contention of the learned counsel for the petitioner is that unless the property in question is resurveyed, the main dispute in the main suit cannot be decided. Hence, aggrieved by the impugned order, the present CRP is filed.

5. Considering the above said submissions, there shall be stay of all the further proceedings for a period of four weeks.

6. List after two weeks.

7. Learned counsel for the petitioner is permitted to take out personal notice to the respondents by RPAD and file proof of service.

//TRUE COPY//

SD/- T. SRINIVASA RAO
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Civil Judge (Junior Division)-cum-Judicial Magistrate of First Class at Tanuku, West Godavari District.
2. Chikkala Bhaskara Rao, S/o.Suryarao, aged about 54 years,
R/o.D.No.17-23-5, Jangam Cheruvu Tanuku, West Godavari District.
(by RPAD)
3. One CC to SRI. SAI GANGADHAR CHAMARTY Advocate [OPUC]
4. One spare copy

KSR

HIGH COURT

DR, J

DATED:21/04/2026

List after two weeks.

ORDER

CRP.No.1170 of 2026

STAY

