



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

[3330]

THURSDAY, THE 16th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

CIVIL REVISION PETITION No. 1264/2026

BETWEEN:

1.KADIRI NAGENDRA, S/O. KADIRI SUBBARAYUDU, AGED ABOUT 56 YEARS, OCC. BUSINESS, R/O. D.NO.14/185, NAKESH STREET, SANGAMPET, KADAPA CITY, Y.S.R DISTRICT. **...PETITIONER**

AND

1.KADIRI KRISHNA, , S/o. Kadiri Ramaiah, Aged about 53 years, Occ. Business R/o. D.No.15/444, Habibulla Street, Kadapa City, Y.S.R District. **...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 begs to present this Memorandum of Grounds of Civil Revision Petition aggrieved by the Order, dated 28.11.2025, passed in I.A.No.691 of 2022 in O.S.No.323 of 2021 on the file of the Court of the IV Additional Civil Judge,(Junior Division) Kadapa, YSR District.

Counsel for the Petitioner:

1.PAPUDIPPU SASHIDAR REDDY

Counsel for the Respondent:

1.V R REDDY KOVVURI

The Court made the following:

THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO**CIVIL REVISION PETITION No.1264 of 2026****ORDER:**

The petitioner who is the defendant in the suit filed I.A. No.691 of 2022 in O.S. No.323 of 2021 on the file of the IV Additional Civil Judge (Junior Division), Kadapa, under Section 45 of Indian Evidence Act corresponding Section 39 of Bahratiya Sikshya Adhiniyam, 2023 to send the suit document for expert opinion to any handwriting expert for scientific examination along with the admitted signatures on written statement, vakalath, specimen signatures etc. The said application is opposed by the respondent/plaintiff on the ground that the application filed only to drag on the suit and to gain time. After considering the evidence of both the parties, the trial Court Judge vide order dated 28.11.2025 has dismissed the interlocutory application on two grounds that the said application was belated and no contemporary signatures filed before the Court.

2. The said order dated 28.11.2025 is assailed in the present Civil Revision Petition on the ground that the reason mentioned by the learned trial Court Judge is contrary to the judgment of the Full Bench in the case of ***Bande Siva Shankara Srinivasa Prasad v. Ravi Surya Prakash Babu***¹ and also judgment of the Division Bench

¹ 2016(2) ALT 248 (F.B.)

in ***M/s. Janachaitanya Housing Limited v. M/s. Divya Financiers***².

In both the judgments it is clearly held that no time can be fixed for filing application under Section 45 of the Indian Evidence Act corresponding Section 39 of Bharatiya Sakshya Adhiniyam, to send signatures to the handwriting expert for comparison and the counsel for the petitioner would submit that the petitioner possessed the contemporaneous documents and the petitioner may be given one opportunity hence request that the trial Court may be directed to consider the same in accordance with law.

3. Heard learned counsel for both the petitioner and the respondents.

4. Learned counsel for the petitioner submits that the petitioner is in possession of contemporaneous documents and requests one opportunity to present them, seeking a direction for the trial Court to consider these documents in accordance with the law.

5. The petitioner's counsel requested permission to file documents contemporaneous to the suit document. Upon such filing, the trial Court is directed to pass orders in accordance with the law. In light of this representation, the petitioner is granted liberty to file a fresh interlocutory application along with the contemporaneous documents to

² AIR 2008 AP 163

seek the requested relief. The trial Court shall consider the application and pass appropriate orders in accordance with the law.

6. With the above said direction, the Civil Revision Petition is disposed of. There shall be no order as to costs.

As a sequel, interlocutory applications, if any, pending in this writ petition shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 16.07.2026

Harin

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THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

C.R.P.No. 1264 OF 2026

Date: 16-07-2026

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