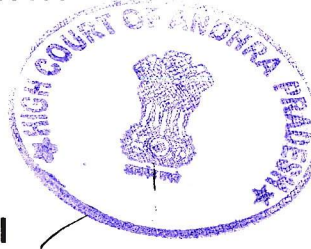


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE FIFTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX



: PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
AND

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI
CIVIL MISCELLANEOUS APPEAL NO: 273 OF 2026

Between:

Yerramsetty Srinivasa Babu, S/o Late Satyanarayana, Aged about 40 years,
R/o Flat no.201, TSR Apartment, Sadasiva Colony, Pedakakani post, Guntur
district

Appellant/Respondent

AND

Yerramsetty Lakshmi Narayana @ Lakshmi, W/o Srinivasa Babu, Aged about
38 years, R/o Garuda Mohana Rao, near water tank, Korukollu village, Kalindi
Mandal, Eluru district.

Respondent/Petitioner

Petition under Section 28 of the Hindu Marriage Act, 1955 is filed
praying that in the circumstances stated in the grounds filed in support of the
Civil Miscellaneous Appeal, the High Court may be pleased to set aside the
order passed by the Learned Court of the Civil Judge (Senior Division) at
Kaikaluru in H.M.O.P No. 01 of 2022 dated 27.01.2026.

IA NO: 1 OF 2026

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 to suspend the order passed in H.M.O.P No. 01 of 2022 on the file of Court of the Civil Judge (Senior Division) at Kaikaluru dated 27.01.2026 till disposal of this case.

The Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Shaik Asif, Advocate for the Appellants, and while directing notice to the Respondents, the Court made the following.

ORDER

This appeal has been filed by the appellant/husband, being aggrieved by the common order dated 27.01.2026, passed in H.M.O.P.No.01 of 2022 on the file of the learned Civil Judge (Senior Division), Kaikaluru, whereby the petition filed by the respondent/wife under Section 9 of the Hindu Marriage Act, 1955 for restitution of conjugal rights was allowed.

2. Heard the learned counsel for the appellant. He submits that the appellant/husband has also filed C.M.A.No.263 of 2026 challenging the dismissal of his divorce petition filed under Section 13(1)(ia) of the Hindu Marriage Act, 1955, by a common order dated 27.01.2026 passed in H.M.O.P.No.82 of 2024 on the file of the learned Civil Judge (Senior Division), Kaikaluru. In the said matter, notice has already been issued to the respondent.

3. Issue notice to the respondent in CM.A.No.273 of 2026.

4. In addition to the normal mode of service, the appellant is permitted to take out personal notice to the respondent by Registered Post and Acknowledgment Due and file proof of service in the Registry before the next date of listing.

5. List the matter on 07.07.2026.

6. Till the next date of listing, the execution of the decree, dated 27.01.2026, passed in H.M.O.P.No.01 of 2022 on the file of the learned Civil Judge (Senior Division), Kaikaluru, shall remain stayed. The parties however, shall be at liberty to amicably comply with the decree of restitution of conjugal rights.

7. After the appearance of the respondent, the Court would consider to refer the parties for mediation.

//TRUE COPY//

SD/- Y.SRINIVASU
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Civil Judge (Senior Division) at Kaikaluru
2. Yerramsetty Lakshmi Narayana @ Lakshmi, W/o Srinivasa Babu, Aged about 38 years, R/o Garuda Mohana Rao, near water tank, Korukollu village, Kalindi Mandal, Eluru district. (by RPAD)
3. One CC to Sri Shaik Asif, Advocate [OPUC] ✓
4. One spare copy

HIGH COURT

RNT, J

&

BM, J

DATED: 05/05/2026

LIST THE MATTER ON 07.07.2026

ORDER

CMA.NO.273 OF 2026

INTERIM STAY

