

[3333]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
WEDNESDAY, THE TWENTY NINTH DAY OF APRIL

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SMT JUSTICE V.SUJATHA

IA No. 1 OF 2026

IN

CMA NO: 271 OF 2026



Between:

Mallepula Franklin Kiran Kumar, S/o. Krupabhaskara Rao, Aged 48 yrs, R/o.
D. No. 50-94-24, Santhipuram, Near Gurudwar Junction, Visakhapatnam.

...Petitioner/Appellant

(Petitioner in CMA 271 OF 2026

on the file of High Court)

AND

Garikina Kumari, W/o. Uma Mahesh, Aged 43 yrs, R/o. D. No. 37-10-14,
Pattabhiredy Thota, Balaji Nagar, Visakhapatnam

...Respondent/Respondent

(Respondents in-do-)

Counsel for the Petitioner : SRI T V S PRABHAKARA RAO

Counsel for the Respondent :----

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 operation of orders dt. 09-04-2026 in I.A. No. 573 / 2019 in O.S. No. 397 / 2012 on the file of XII Addl District Judges court Visakhapatnam Pending disposal of CMA No. 271 of 2026, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER

“The present Civil Miscellaneous Appeal has been preferred aggrieved by the order passed in IA.No.573 of 2019 in O.S. No.397 of 2012, dated 09.04.2026.

The Respondent herein has filed a suit in O.S.No.397 of 2012 on the file of XII Additional District Judge, Visakhapatnam, seeking relief of specific performance of alleged agreement of sale dated 02.10.2009 or in alternate refund the advance money. In the said suit, the Respondent has filed an application in I.A.No.573 of 2019, in which the Trial Court was pleased to direct both the parties i.e Appellant as well as Respondent herein to maintain *status quo* from alienating the suit schedule property on 01.10.2012. After elaborated trial, the said suit was decreed on 09.04.2026. While disposal of the said suit, an application has been preferred by the Respondent under Order XXXIX, Rule 2(A) of C.P.C praying to send the Appellant herein to civil prison for violation and disobedience of the order dated 01.10.2012 on the ground that the Appellant herein has alienated the part of the suit schedule property on 27.10.2018, the said application was ordered on 09.04.2026 by sentencing the Appellant to undergo simple imprisonment for one month for violation of the status quo order dated 21.12.2012 passed in I.A.No.625 of 2012.

Considering the seriousness of the case and as to whether Appellant has violated the *status quo* order granted by the Trial Court or not, requires detailed consideration by this Court, pending the present Appeal in order to protect the interest of the Appellant, this Court feels it

appropriate to suspend the operation of the order, dated 09.04.2026 in I.A.No.573 of 2019 in O.S.No.397 of 2012 on the file of XII Additional District Judge, Visakhapatnam for a period of eight (08) weeks."

//TRUE COPY//

SD/- U.SRIDEVI
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The XII Additional District Judge, Visakhapatnam
2. Garikina Kumari, W/o. Uma Mahesh, Aged 43 yrs, R/o. D. No. 37-10-14, Pattabhireddy Thota, Balaji Nagar, Visakhapatnam(By RPAD)
3. One CC to Sri T V S Prabhakara Rao Advocate [OPUC]
4. One spare copy

HIGH COURT

VS,J

DATED:29/04/2026

LIST THE MATTER ON 22.06.2026.

ORDER

IA No. 1 OF 2026

IN

CMA NO: 271 OF 2026

STATUS QUO

