

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE TWENTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE



PRESENT

THE HONOURABLE SRI JUSTICE T MALLIKARJUNA RAO

SECOND APPEAL NO: 464 OF 2001

Appeal under section 100 C.P.C, against the Judgment and decree in A.S.no. 38 of 1996 on the file of the IV Additional district Judge, Kurnool, preferred against the Decree and Judgment in O.S.no. 1/96 on the file of the District Munsif, Dhone.

Between:

1. Jonnalagadda Subbaiah Setty, aged 63 years S/o Rama Swamy, Occ: Cultivation, (Died) (per Lrs 5 to 10)
2. Rajaseshapani Setty, S/o Venkatramaiah aged 60 years, Occ: Trader (Died) (per Lrs 17 to 21)
3. Sunkara thirupathi Rangaiah S/o Ranga Reddy, aged 55 years, Trader (Died) (per Lrs 13 to 16)
4. Venkadari Kajagnu Sunandamma, wife of Sreenivasasulu, aged 62 years, (Died) (per Lrs 11 & 12)
5. J. Sarojamma, W/o. Late Subbaiah Setty, Aged about 65 years, R/o. Dhone, Kurnool District
6. Rachamodugu Sarada, W/o. R. Nagabhushanam, D/o. Late J. Subbaiah Setty, aged about 53 years, R/o. Ashok Nagar, Hyderabad

7. J. Rama Swamy, S/o. Late Subbaiah Setty, Aged about 51 years.
Employee in NAL, Opp- Manipal Hospital, Bangalore
8. Maradugu Padmavathi, W/o. Swayam Prakash, D/o. Late Subbaiah Setty, aged about 50 years, R/o. Old Town, Ananthapur
9. J. Sreenivasulu Setty, S/o. Late Subbaiah Setty, Aged about 47 years,
R/o. Dhone, Dhone Mandal, Kurnool District
10. J. Sridhar Setty, S/o. Late J. Subbaiah Setty, Aged about 45 years,
R/o. Dhone, Kurnool District
11. Venkadari Sreenivasulu, S/o. Late Subbaiah, Aged about 89 years,
R/o. D.No. 18-13, Pathapeta, Dhone, Kurnool District
12. Karnati Anuradha, W/o. K. Sreenivasulu, Aged about 47 years, R/o.
D.No. 18-13, Pathapeta, Dhone, Kumool District
13. Sunkara Venkata Thimpathamma, W/o. S.T. Rangaiah, Aged about 75
years. Wo. D.No. 10-35, Kothapeta, Dhone Town, Kumool District
14. Sunkara Nagarjuna Kumar, S/o. S.T. Rangaiah, Aged about 48 years,
R/o. D.No. 10-35, Kothapeta, Dhone Town, Kumool District
15. Kasarla Bhagya Kumari, W/o. Ankanna, Aged about 58 years, C/o.
Chandragirijamma, R/o. 28/B, Beside Suman Residency Model Colony,
ESI, Hyderabad-500 038
16. Kanaparathi Usharani, W/o. K. Venkateswara Rao, Aged about 55
years, R/o. Plot No.307, Satya Sai Apartments, Bairamalguda,
Karmanghat, Hyderabad
17. Raja Aivelu, W/o. Rajaseshapani Setty, Aged about 80 years, R/o.
H.No. 14-47, Pathapeta, Dhone, Kumool District
18. Raja Syama Sunder, S/o. Rajaseshapani Setty, Aged about 56 years,
R/o. H.No. 14-47, Pathapeta, Dhone, Kumool District

19. Raja Rajasekhar, S/o. Rajaseshapani Setty, Aged about 54 years, R/o. H.No. 14-47, Pathapeta, Dhone, Kumool District

20. Dr. Raja Jagan Mohan, S/o. Rajaseshapani Setty, Aged about 52 years, R/o. H.No. 14-47, Pathapeta, Dhone, Kumool District

21. Raja Kamalakar, S/o. Rajaseshapani Setty, Aged about 50 years, R/o. 1-1-385/12/17/ABC, Ground Floor, Beside Nestle Apartments, Near Andhra Cafe, Gandhinagar, Hyderabad

App. 5 to 10 are brought on record as LRs of the deceased A1 vide C.O. Dt. 22/8/2008 in CMP 3043/08.)

(App. 11 & 12 are brought on record as LRs of the deceased A4 vide C.O. Dt., 22/8/2008 in CMP 3043/2008.)

(App. 13 to 16 are brought on record as LRs of the deceased A3 as per C.O. dt. 11/12/2008 in CMP 2594/08).

(App. 17 to 21 are brought on record as LRs of the deceased A2 vide C.O. Dt. 18/1/2011 in CMP 1521/2009).

AND

1. Kotrika Venkateswarlu, aged 47 years
2. Kotrika Viswanatham, aged 44 years
3. Kotrika Venkatanagarjuna, Aged about 39 years,

(All are S/o. Venkateshaiah Residents of Dhone, Dhone Mandal, Kurnool District)

...Respondents

Counsel for the Appellant :SRI. P HARINATH GUPTA

Counsel for the Respondents: SRI. KARRI MURALI KRISHNA

The Court made the following: JUDGMENT



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

[3369]

TUESDAY, THE TWENTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE T. MALLIKARJUNA RAO

SECOND APPEAL NO: 464/2001

Between:

Kotrika Venkateswarlu and Others

...APPELLANT(S)

AND

J Subbaiah Setty and Others

...RESPONDENT(S)

Counsel for the Appellant(S):

1. P HARINATH GUPTA

Counsel for the Respondent(S):

1. KARRI MURALI KRISHNA

The Court made the following JUDGMENT:

1. This Second Appeal was filed by the appellants/plaintiffs under Section 100 of the Code of Civil Procedure, 1908 (for short, 'C.P.C.') against the Judgment and decree, dated 23.08.1999 passed in A.S.No.38 of 1996 on the file of learned IV Additional District Judge's Court, Kurnool, confirming the judgment and decree, dated 08.04.1996 passed in O.S.No.01 of 1986 on the file of learned District Munsif Court, Dhone.

2. Today, when the matter is taken up for hearing in the morning session, no representation on behalf of the appellants. Learned counsel for the respondents is present. The matter was subsequently passed over at 2.15 P.M.

3. In the afternoon session also, there was no representation on behalf of the appellants despite listing the matter under the caption 'for dismissal'. It seems that the appellants are not evincing any interest to prosecute with the appeal.

4. Accordingly, the Second Appeal is **dismissed** for default. However, there shall be no order as to costs.

Miscellaneous petitions pending, if any, in this appeal shall stand closed.

Sd/- M RAMESH BABU
DEPUTY REGISTRAR



//TRUE COPY//

SECTION OFFICER

To,

1. The IV Additional district Judge, Kurnool (**with records**)
2. The District Munsif, Dhone (**with records**)
3. One CC to Sri. P Harinath Gupta, Advocate [OPUC]
4. One CC to Sri. Karri Murali Krishna, Advocate [OPUC]
5. The Section Officer, V R Section, High Court of Andhra Pradesh at Amaravathi.
6. Three CD Copies

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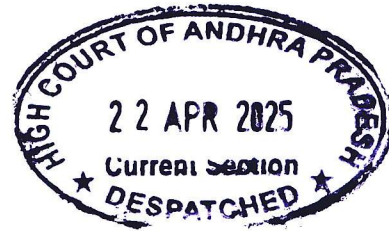
vna

HIGH COURT

DATED:21/01/2025

JUDGMENT

SA.No.464 of 2001



DISMISSING THE APPEAL FOR DEFAULT

WITHOUT COSTS