

[3558]
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY, THE FIRST DAY OF MAY
TWO THOUSAND AND TWENTY SIX



:PRESENT:

THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY
AND
THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

IA No. 1 OF 2026

IN

WP NO: 12643 OF 2026

Between:

Koniki Sairam, S/o K. Siddama Naidu, Age 48 years Occ:: Private
Employee, R/o. D.No.23-8-165/1. Plot No.25, New Balaji Colony, M.R.
Palli , Tirupati 517501

...Petitioners

(Petitioner in WP 12643 OF 2026

on the file of High Court)

AND

1. Mandal Legal Service Authority (Committee), Rep by its Chairman,
Tirupati 517502.
2. The Revenue Divisional Authority, RDO Office, Tirupati. 517502.
3. The Tahsildar, Mandal Revenue Office, Tirupati. 517502.
4. Cherukuri Srivani, W/o C. Sreekanth, Aged 51 years Occ: Housewife,
R/o Flat No. 305, SV Pride, Vidyanagar 1-8, Guntur. Brundavanam
Apartment 5-269/1, MV Narayanapuram, 1st lane OPP CR, Colony,
Chilakaluripet. 522616
5. C. Devi @ Jyothilakshmi, W/o C. Munichandra Naidu Aged 55 years
Occ: Housewife, R/o D.No.1-79/1,4A, Srinivasa Puram, Tiruchanur
Road, Yogimallavaram, Tirupati Rural, Tirupati Mandal. 517502.

6. P. Krishnaveni, W/o P. Venkateswarlu, Aged 53 years Occ: Housewife,
R/o 3rd Floor, Spandana Apartment Road, Bakki Reddy Colony,
Malapalli, Tirupati. 517502.

...Respondents

(Respondents in-do-)

Counsel for the Petitioner :SRI K SREEDHAR MURTHY

Counsel for the Respondent No.1: Sri S. Lakshmi Narayana Reddy,
Standing Counsel

Counsel for the Respondent No.2: GP FOR REVENUE

Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to stay all further proceedings by suspending the operation of the Award dt.29.06.2024 passed in Lok Adalat No.289 of 2024 (OS No.92 of 2023 on the file of V Addl. District Judge, Tirupati), Pending disposal of WP No. 12643 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 suit is filed for partition. Thereafter, it was referred to Lok Adalat for settlement. The Lok Adalat has passed the impugned award in the said suit for partition. The validity of the said award is now questioned by the petitioner on the ground that the subject property belongs to a female, who died intestate and as per Section 15 of the Hindu Succession Act, the property devolves on all her legal heirs as contemplated under Section 15 of the Act and her son by name K.Sairam, who is the petitioner herein and her husband by name K.Siddama Naidu are also the legal heirs as contemplated under Section 15 of the Act and they are also entitled to a share in the said property and without impleading the said two persons, who are the co-sharers

that the suit was filed behind their back and the award was obtained without impleading them as parties, by playing fraud. Therefore, the validity of the award is questioned on the aforesaid fraud alleged to have been played by the plaintiff and the defendants in the suit. It is settled law that all the sharers in the property are necessary parties in a suit for partition and failure to add any necessary party, who is entitled to a share in the said property, is fatal to the suit for partition. Therefore, the petitioner could make out a prima facie case to examine the aforesaid aspects in this writ petition. A suit, challenging the validity of the award is clearly barred under the Andhra Pradesh Legal Services Authority Act and it is settled law that only a writ petition is maintainable even on the ground of fraud, to challenge the validity of the award.

Therefore, in the said facts and circumstances of the case, there shall be interim stay of execution of the award dated 29.06.2024 passed in Lok Adalat No.289 of 2024 in O.S.No.92 of 2023 on the file of the V Additional District Judge, Tirupati, till the next date of hearing.

//TRUE COPY//

SD/- K.J.RAJA BABU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The V Additional District Judge, Tirupati /
2. The Chairman, Mandal Legal Service Authority (Committee), Tirupati /
517502.
3. The Revenue Divisional Authority, RDO Office, Tirupati. 517502.
4. The Tahsildar, Mandal Revenue Office, Tirupati. 517502.
5. Cherukuri Srivani, W/o C. Sreekanth, Aged 51 years Occ: Housewife,
R/o Flat No. 305, SV Pride, Vidyanagar 1-8, Guntur. Brundavanam
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Road, Yogimallavaram, Tirupati Rural, Tirupati Mandal. 517502.
7. P. Krishnaveni, W/o P. Venkateswarlu, Aged 53 years Occ: Housewife,
R/o 3rd Floor, Spandana Apartment Road, Bakki Reddy Colony,
Malapalli, Tirupati. 517502. (Addressee Nos.2 to 7 By RPAD)
8. One CC to SRI. K SREEDHAR MURTHY Advocate [OPUC]
9. One CC to Sri S. Lakshmi Narayana Reddy, STANDING COUNSEL
[OPUC]
10. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
11. Two spare copies

KJ

HIGH COURT

CMR,J &
GTK,J

DATED:01/05/2026

LIST THE MATTER ON 19.06.2026

ORDER

IA No. 1 OF 2026

IN

WP.No.12643 of 2026

INTERIM STAY

