

[3572]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE EIGHTH DAY OF MAY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

AND

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

APPEAL SUIT NO: 268 OF 2026

Between:

M. Shamsundar, S/o late M. Rama Murthy, Aged about 58 years, Occ:
Employee R/o H.No. 81-141, Sree Venkateswara Nagar, Kurnool Town
and District

APPELLANT/DEFENDANT

AND

P. Padmalatha, W/o Raghavendra Prasad, D/o late M. Rama Murthy,
Aged about 51 years, Occ: Housewife, R/o H.No. 81-141, Sree
Venkateswara Nagar, Kurnool Town and District

RESPONDENT/PLAINTIFF

Appeal Under Section 96 R/W Order 41 Rule 1 of C.P.C., against the
Judgment and Decree passed in O.S. No. 141 of 2018 dt. 31-12-2025 on the
file of VII Addl. District Judge, Kurnool;

IA NO: 1 OF 2026

Petition under Order XLI R.5 R/W Section 151 of 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 grant stay of all further
proceedings pursuant to the Decree and Judgment dt. 31-12-2025 passed in
O.S.No. 141 of 2018 on the file VII Additional District Judge, Kurnool, Pending
disposal of AS 268 of 2026, on the file of the High Court.



The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and the arguments of Ms. M L NEELIMA, Advocate for the Petitioner, the Court made the following;

ORDER:

Heard Sri M.L.Neelima, learned counsel for the appellant.

2. This appeal has been filed by the appellant/defendant, aggrieved by the judgment and decree dated 31.12.2025 passed in O.S.No.141 of 2018 on the file of the VII Additional District Judge, Kurnool, whereby the suit filed by the respondent/plaintiff seeking declaration of title over the plaint schedule property, recovery of possession of the ground floor of the plaint schedule property by evicting the defendant there from, and permanent injunction, was decreed in favour of the plaintiff.

3. Learned counsel for the appellant submits that the respondent is the sister of the appellant. He submits that the mother of the appellant had no independent source of income and that, in fact, the property was purchased by their father in the name of the mother.

4. The matter requires consideration.

5. Issue notice to the respondent.

6. 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.

7. Post the matter on 16.07.2026.

8. Considering the aforesaid facts and submissions, it is provided, by way of an interim measure, that the execution of the decree dated 31.12.2025 passed in O.S.No.141 of 2018 on the file of the VII Additional District Judge, Kurnool, shall remain stayed until further orders.

SD/- T.SRINIVASA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. **The VII Additional District Judge, Kurnool**
2. P. Padmalatha, W/o Raghavendra Prasad, D/o late M. Rama Murthy,
Aged about 51 years, Occ: Housewife, R/o H.No. 81-141, Sree
Venkateswara Nagar, Kurnool Town and District (by SPEED POST)
3. One CC to Ms. M L NEELIMA Advocate [OPUC]
4. Two spare copies

KJ

HIGH COURT

RNT,J &
BM,J

DATED:08/05/2026

POST THE MATTER ON 16.07.2026

ORDER

AS.No.268 of 2026

STAY

