

APHC010295622026



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

[3239]

FRIDAY, THE NINETEENTH DAY OF JUNE  
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE K SURESH REDDY**

**CIVIL REVISION PETITION NO: 1640/2026**

**Between:**

1.THE NELLORE PROGRESSIVE UNION, (SRI NELLORE VARDHAMANA SAMAJAM), REP. BY ITS SECRETARY, MAJJIGA PRABHAKAR REDDY, S/O. SUNDARARAMIREDDY, AGED ABOUT 70 YEARS, R/O.TOWN HALL PREMISES, TRUNK ROAD, NELLORE

**...PETITIONER**

**AND**

1.THE TOWN HALL TRUST BOARD, REP. BY ITS SECRETARY AND TRUSTEE, J.S.REDDY, S/O. RANGA REDDY, AGED ABOUT 73 YEARS, TOWN HALL PREMISES, TRUNK ROAD, NELLORE. (J.S.REDDY DIED)

2.THE TOWN HALL TRUST BOARD, REP. BY ITS SECRETARY AND TRUSTEE, J. BAKTHAVATSLA REDDY S/O. J.S.REDDY, AGED ABOUT 53 YEARS, R/O.TOWN HALL PREMISES, TRUNK ROAD, NELLORE.

**...RESPONDENT(S):**

**Counsel for the Petitioner:**

1.C SUBODH

**Counsel for the Respondent(S):**

1.Y L SIVA KALPANA REDDY

**THE HONOURABLE SRI JUSTICE K.SURESH REDDY**  
**CIVIL REVISION PETITION No.1640 of 2026**

**ORDER :**

Questioning the order dated 21.04.2026 passed in I.A. No.90 of 2026 in O.S. No. 239 of 2016 on the file of the Court of the VIII Additional District Judge, Nellore, the defendant in the said suit filed the present Civil Revision Petition under Article 227 of the Constitution of India.

2. The respondents herein filed the above suit seeking to terminate the permissive possession of the defendant/petitioner herein over the plaint schedule property. Pending the said suit, 2<sup>nd</sup> plaintiff who is the respondent No.2 herein filed a petition vide I.A.No.90 of 2026 under Order 26 Rule 1, read with Section 151 of C.P.C., to appoint an advocate commissioner to examine PW.2 as a witness and to record his evidence at Bangalore. The defendant/petitioner herein contested the said petition. After hearing both sides, the said petition was allowed which is impugned in the present revision.

3. Heard Sri C. Subodh, learned counsel for the petitioner, and Smt.Y.L. Siva Kalpana Reddy, learned counsel for the respondents.

4. Learned counsel for the petitioner contends that no reasons have been assigned by 2<sup>nd</sup> plaintiff/respondent No.2 herein as to why 2<sup>nd</sup> plaintiff could not able to appear before the Court for recording evidence.

5. Be that as it may, without going into the merits and demerits of the impugned order, learned counsel appearing on either side contend that the present revision can be disposed of at the admission stage, as respondent

No. 2/2<sup>nd</sup> plaintiff has agreed to appear before the Court below for recording the evidence.

6. In view of the facts and circumstances of the case, as the learned counsel appearing on either side agreed for a consent order, the Civil Revision Petition is disposed of at the stage of admission by setting aside the order dated 21.04.2026 passed I.A. No.90 of 2026 in O.S. No. 239 of 2016 on the file of the Court of the VIII Additional District Judge, Nellore. The respondent No.2/2<sup>nd</sup> plaintiff is directed to appear before the learned VIII Additional District Judge, Nellore (Trial Court) on 06.07.2026 without fail. The learned VIII Additional District Judge, Nellore is directed to proceed with the cross examination of PW.2 and record his evidence on day to day basis. The petitioner/defendant is directed to proceed with the cross examination on that date. Failing which, the cross examination on behalf of the petitioner/defendant will be treated as forfeited.

7. With the above directions, the Civil Revision Petition is disposed of at the stage of admission. There shall be no order as to costs.

As a sequel, interlocutory applications pending, if any, shall also stand closed.

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**K SURESH REDDY, J**

Date: 19.06.2026

**Note:** Issue CC by 22.06.2026

B/o

Asr

**THE HON'BLE SRI JUSTICE K.SURESH REDDY**

**CIVIL REVISION PETITION No.1640 of 2026**

Date: 19.06.2026

ASR