

[3329]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE THIRD DAY OF NOVEMBER,

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA



IA No. 1 OF 2025

IN

CRP NO: 1439 OF 2025

Between:

Vaduguri Venkata Upendra Rao, S/o. Late Venkateswarlu, aged 63 years, R/o. Near Police Quarters, R.O.B Side Road, Perala Village, Chirala Mandal, Bapatla District.

...Petitioner

AND

Vaduguri Dhanalakshmi @ Bokkasam Dhana Lakshmi, W/o. V.V. Upendra Rao, aged 57 years, R/o. Vetapalem Village, Chirala Mandal, Bapatia District. Presently residing at Yandrapati Venkateswarlu, Sai Maharaju Apartments, Housing Board Colony, Near KMS School, Ongole, Prakasam District.

...Respondent

Counsel for the Petitioner: Sri. MADHAVA RAO NALLURI

Counsel for the Respondent: -----

Petition under Section 151 CPC., is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings in H.M.O.P. No. 120 of 2022, on the file of the Court of the Senior Civil Judge at Chirala.

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).

The Court made the following ORDER:

Heard learned counsel for the petitioner(s).

Learned counsel for the petitioner submits that the present H.M.O.P.No.120 of 2022 is filed on the file of Court of the Senior Civil Judge, Chirala is liable to be rejected on the ground of principle of *res-judicata*. He further submits that the petitioner and respondent herein have settled their matrimonial disputes and were already separated vide a lokadalath award dated 31.12.2005 passed in O.P.No.43 of 2004 filed by the petitioner.

Even though an award was already passed by the Lokadalath on 31.12.2005 and allowed to become final and suppressing the very fact, the respondent in O.P.No.43 of 223 filed present H.M.O.P. No.120 of 2022 seeking again divorce is contrary to law and against the principle of *res-judicata*.

In view of the submissions made by the learned counsel for the petitioner and on perusal of the material placed on record, particularly, award dated 31.12.2005 passed by the Lokadalath, there shall be an interim stay of all further proceedings in H.M.O.P.No.120 of 2022 on the file of Court of the Senior Civil Judge, Chirala, till the next of hearing.

**SD/- T. SRINIVASA RAO
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Senior Civil Judge at Chirala.
2. Vaduguri Dhanalakshmi @ Bokkasam Dhana Lakshmi, W/o. V.V. Upendra Rao, aged 57 years, R/o. Vetapalem Village, Chirala Mandal,

Bapatia District. Presently residing at Yandrapati Venkateswarlu, Sai Maharaju Apartments, Housing Board Colony, Near KMS School, Ongole, Prakasam District. (BY RPAD)

3. One CC to Sri. MADHAVA RAO NALLURI, Advocate [OPUC]

4. **One spare copy**

JSS

HIGH COURT

NV, J

DATED:03/11/2025

LIST THE MATTER AFTER THREE (03) WEEKS.

ORDER

**IA No. 1 OF 2025
IN
CRP NO: 1439 OF 2025**

INTERIM STAY

