



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

[3332]

WEDNESDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

CIVIL REVISION PETITION NO: 2471/2024

Between:

- 1.VALLAPUREDDY MADHUSUDHAN REDDY,, S/O VALLAPUREDDY VENKATRAMI REDDY, AGED 40 YEARS, OCC- PVT EMPLOYEE, R/O D. NO.7/33, PULLAMPET TOWN AND MANDAL, KADAPA DISTRICT PRESENTLY ANNAMAYYA DISTRICT.
- 2.PATHAPATI NAGATEEKSHIKA REDDY,, S/O SUNIL KUMAR REDDY, AGED ABOUT 7 YEARS.
- 3.PATHAPATI BHANU KARTHIKEYA REDDY,, S/O SUNIL KUMAR REDDY, AGED ABOUT 6 YEARS, (PETITIONERS NO.2 AND 3 ARE MINORS REP BY THEIR FATHER NATURAL GUARDIAN I.E., PETITIONER NO.4)
- 4.PATHAPATI SUNIL KUMAR REDDY,, S/O SUBRAMANYAM, AGED ABOUT 35 YEARS, PVT.EMPLOYEE (PETITIONERSS NO.2 TO 4 ARE HINDUS, RESIDING AT YERRABALLIPAIEM, VTC VINJAMUR, NELLORE DISTRICT-524228)

...PETITIONER(S)

AND

- 1.KAVATURU VENKATAIAH, (DIED)
- 2.KAVATURU VENKATA SUBAMMA, W/O. LATE KAVATURU VENKATAIAH AGED ABOUT 78 YEARS.
- 3.KAVUTURU NAGIAH, S/O. LATE KAVATURU VENKATAIAH, AGED ABOUT 53 YEARS, (RESPONDENT NO.2 AND 3 ARE THE

RESIDENT DR.NO.220, SADHUVARIPALLI VILLAGE,
 POTHANAVARI PALLI POST, PULLAMPET MANDAL, ANNAMAIAH
 DISTRICT

4.VALLAPUREDDI VENKATARAMI REDDY, S/O. VENKATA REDDY
 AGED ABOUT 68 YEARS, R/O. CHERLOPALLI VILLAGE,
 PULLAMPET MANDAL, ANNAMAIAH DISTRICT.

...RESPONDENT(S):

Petition under Article 227 of the Constitution of India, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to the above named petitioners begs to present this memorandum of Civil Revision Petition have been aggrieved by the returned endorsement dt.18.10.2024 in E.A SR.NO. 3561 of 2024 IN E.P NO. 94 OF 2012 In O.S NO. 30 OF 1998 on the file of the court of the principal civil judge (senior division) Rajampet for the following among other grounds

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased may be pleased to grant stay of all further proceedings in E.P.No.94 of 2012 in O.S.No.30 of 1998 on the file of the Court of Principle Civil Judge (Senior Division) Rajampet including conducting of auction dt.21.10.2024 of claim petitioners property situated in D. No.7/33, Pullampet Town and Mandal, Kadapa District presently Annamayya District.

Counsel for the Petitioner(S):

1.K JANAKIRAMI REDDY

Counsel for the Respondent(S):

1.BOLLA VENKATA RAMA RAO

2.

3.S.NAGESWARAREDDY

The Court made the following order:

Aggrieved by the returned endorsement dated 18.10.2024 in E.A (SR) No.3561 of 2024 in Execution Petition No.94 of 2012 in Original Suit No.30 of 1998 on the file of the Court of Principal Civil Judge (Senior Division), Rajampet, the present Civil Revision petition is filed.

2. Heard Sri K.Janaki Rami Reddy, learned counsel for the petitioners, Sri B.Venkata Ramarao, learned counsel for respondent Nos.2 and 3 and Sri S.Nageswararao, learned counsel for respondent No.4.

4. Learned counsel for the petitioners, in elaboration to what has been stated in the grounds of revision contended that the petitioners filed a claim petition under Order XXI Rule 97 to 100 CPC read with order XXI Rule 58 CPC on the ground that they had acquired the petition schedule property through a registered gift deed executed in the year 2012 and thereby acquired absolute right, title and interest over the same. He further submitted that the petitioners had also constructed ground and first floor over the said property and filed the present Execution Application to protect the schedule property, however, the trial Court, without properly adjudicating the matter, erroneously returned the petition. Hence, prayed to pass appropriate orders.

5. On the other hand, learned counsel for respondent Nos.2 and 3 submitted that the trial Court had returned the claim petition by raising certain objections. If the petitioners had any difficulty in complying with the same, they could have requested the office to place the matter before the Court

under the caption 'For orders of the Court'. Without resorting to such procedure, the petitioners have straight away filed the Civil Revision Petition, which is not maintainable. He further contended that the Decree holder has not been able to enjoy the fruits of the decree passed in the year 2001, despite the lapse of nearly 24 years. Hence, prayed to dismiss the Civil Revision Petition.

6. In reply, learned counsel for the petitioners submitted that pursuant to the return endorsement dated 18.10.2024, they have complied the objections raised by the office and resubmitted the Execution Application. However, the same was again returned. He further submitted that the petitioners are intending to comply with the objections raised by the office. Hence, prayed to dispose of the Civil Revision Petition with appropriate directions.

7. Perused the material available on record and the submissions made by learned counsel for the parties.

8. As could be culled out from the submissions made by learned counsel for the parties and the material available on record, the Execution Application filed by the petitioners was returned by the office raising certain objections. It is not in dispute that, pursuant to the earlier return endorsement dated 18.10.2024, the petitioners complied with the objections and resubmitted the petition. However, the same was again returned with further objections.

9. At this stage, this Court is not inclined to go into the merits of the objections raised by the office in exercise of jurisdiction under Article 227 of

the Constitution of India. If the petitioners have any difficulty in complying with the objections raised by the office, it is always open to them to request the office to place the matter before the concerned Court under the caption 'For Orders', so as to enable the Court to pass appropriate orders in accordance with law.

10. In view of the submissions made by the learned counsel for the petitioners that they are willing to comply with the objections raised by the office, this Court deems it appropriate to dispose of the Civil Revision Petition by passing the following order:

“The petitioners are at liberty to comply with the office objections and resubmit the Execution Application (SR) NO.3561 of 2024 in E.P.No.94 of 2012 in O.S.No.30 of 1998 on the file of the Court of Principal Civil Judge (Senior Division), Rajampet. Upon such re-submission, the office shall process the same in accordance with law. If any objection still survives, the petitioners are at liberty to seek appropriate orders from the concerned Court.”

11. With the above observations, the Civil Revision Petition is disposed of. There shall be no order as to costs

As a sequel, all the pending miscellaneous applications are closed.

JUSTICE RAVI CHEEMALAPATI

Date: 29.04.2026
MP

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THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

CIVIL REVISION PETITION NO:2471 of 2024

Date: 29.04.2026

MP