

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE THIRD DAY OF FEBRUARY

TWO THOUSAND AND TWENTY SIX



:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

AND

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

APPEAL SUIT NO: 419 OF 2024

**Between:**

Dr. Velpula Rameswarudu, S/o Velpula Late Rama Subba Reddy, Aged about 61 years, working as DCHS, APVVP, New Collectorate Campus, Kadapa, R/o.D.No 21/196, Teru Road, Jammalamadugu Town, Kadapa District.

**Appellant/Defendant**

**AND**

1. Vongala Narendra, S/o Vongala Sivarama Rangaiah, Aged about 49 years, Occ: Business, R/o. D.No 21/1234, Nagulakatta Street, Jammalamadugu Town and Mandal, Kadapa District.
2. Smt. Vongala Anuradha, W/o Vongala Nagendra, Aged about 47 years, House wife, R/o. D.No 21/1234, Nagulakatta Street, Jammalamadugu Town and Mandal, Kadapa District.

**Respondents/Plaintiffs**

Appeal Under Section 96 of CPC is filed praying that the High Court may be pleased to allow this Appeal Suit with costs and be pleased to set aside the Decree and Judgement in O.S No. 41 of 2021 dated 08-05-2024

passed on the file of the Hon'ble Judge Family Court-cum-VI Additional District Judge, Kadapa.

**IA NO: 1 OF 2024**

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 grant stay of all further proceedings pursuant to the decree and judgment passed in O.S No. 41 of 2021 on the file of the Hon'ble Judge Family Court - Cum-VI Additional District Judge, Kadapa dated 08.05.2024, Pending disposal of AS 419 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the memorandum filed in support thereof and upon hearing the arguments of M/s. AYESHA AZMA S, Advocate for the Petitioner, Sri A SYAM SUNDAR REDDY, Advocate for the Respondent No.2, the Court made the following.

**ORDER**

The plaintiff's suit for recovery of amount of Rs.1,40,00,000/- together with costs and future interest was decreed partly on 08.05.2024 by learned VI Additional District Judge, Kadapa in O.S.No.41 of 2021. The suit was decreed partly with a direction to the defendant to pay to the plaintiff a sum of Rs.70,00,000/- with subsequent interest and also awarded a costs of Rs.3,48,028/-. The appeal has been filed by the defendant.

2. Learned counsel for the appellant submits that suit was barred by limitation. The APSFC sanctioned loan to the defendant on 31.03.2012. She submits that the reliance placed on Ex.A5 is unsustainable. Consequently, the finding on issue No.1 cannot be sustained. She further submits that the Trial Court at Kadapa had no territorial jurisdiction on which point, issue No.3 was framed. The finding recorded

on issue No.3 is also not correct and there was no territorial jurisdiction at Kadapa. The judgment suffers from illegality.

3. The appeal has already been admitted.
4. The matter requires consideration.
5. List for hearing in due course.
6. In the meantime, the operation and execution of decree under challenge shall remain stayed subject to the following conditions:
  - i) the appellant shall deposit 50% of the decretal amount as it stands today within a period of six (06) weeks before the Execution Court and
  - ii) the appellant shall also deposit the costs amount within the same period.
7. The amount so deposited, except the costs amount, shall be invested in Fixed Deposit Receipt with a nationalised Bank preferably State Bank of India for a period initially of one year, with renewal clause.
8. The respondent/plaintiff shall be at liberty to withdraw the cost amount, without furnishing any security.
9. The aforesaid shall be subject to the further orders in this appeal.

Sd/- N. NAGAMMA  
ASSISTANT REGISTRAR

//TRUE COPY//

  
SECTION OFFICER

To,

1. The Judge Family Court-cum-VI Additional District Judge, Kadapa.
2. Vongala Narendra, S/o Vongala Sivarama Rangaiah, Aged about 49 years, Occ: Business, R/o. D.No 21/1234, Nagulakatta Street, Jammalamadugu Town and Mandal, Kadapa District.

3. Smt. Vongala Anuradha, W/o Vongala Nagendra, Aged about 47 years, House wife, R/o. D.No 21/1234, Nagulakatta Street, Jammalamadugu Town and Mandal, Kadapa District. (2 & 3 by RPAD)
4. One CC to SRI. AYESHA AZMA S Advocate [OPUC]
5. One CC to SRI. A SYAM SUNDAR REDDY Advocate [OPUC]
6. **Two spare copies**

**HIGH COURT**

**RNT,J**

**&**

**MRK,J**

**DATED:03/02/2026**

**LIST FOR HEARING IN DUE COURSE**

**ORDER**

**AS.No.419 of 2024**

**DIRECTION**

