

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE SECOND DAY OF MAY,
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

AND

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

IA No. 1 OF 2024

IN

AS NO: 1199 OF 2018

Between:

Sri Ramakrishna Seva Samithi, K.V.Agraharam, Pogathota, Nellore, Rep.
by its Executive committee Member, Malepati Malyadri, S/o. Kondaiah,
Aged 63 years Hindu, Business, Residing at 17-4-131, Thipparajuvari
Street, Nellore.

...Petitioner/

1st Respondent

(Petitioner in AS 1199 OF 2018
on the file of High Court)

AND

1. Votturu Sampathraju, S/o. Late Bhaskar Rao, Aged 43 years, Hindu,
Property Owner, Residing at 6-3-802, Ramamurthy Nagar, Nellore.

1st Respondent/

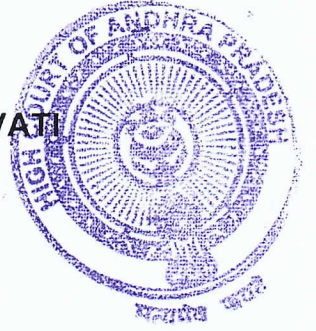
Appellant

2. Arkadu Vasantha Lakshmi

2nd Respondent

(2nd respondent is not necessary in this IA as in the appeal itself it is
endorsed that she is not a necessary party)

(Respondents in-do-)



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 vacate the interim stay granted on 7.8.2018 in I.A.No.1 of 2018 in AS.No.1199 of 2018, pending disposal of AS No.1199 of 2018, on the file of the High Court.

IA.No.1 of 2018:

Votturu Sampathraju, S/o. Late Bhaskar Rao, Aged 38 years, Hindu,
Property Owner, Residing at 6-3-802, Ramamurthy Nagar, Nellore.

...Petitioner

AND

1. Sri Ramakrishna Seva Samithi, K.V.Agraharam, Pogathota, Nellore,
Rep. by its Executive committee Member, Malepati Malyadri, S/o.
Kondaiah, Aged 63 years Hindu, Business, Residing at 17-4-131,
Thipparajuvari Street, Nellore.
2. Arkadu Vasantha Lakshmi (Abated), W/o A.Venkateswarlu
(R2 not necessary)

...Respondents

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 pursuant to Decree Judgment dated 14.02.2018 in O.S.No.189 of 2013 on the file of the Court of the Principal District Judge, Nellore, pending disposal of AS No.1199 of 2018, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated 07.08.2018 made herein and upon hearing the arguments of Sri P.Sridhar Reddy, Advocate for the Appellant in IA.No.2024 and Respondent No.1 in IA.No.1 of 2018 and Sri Chamarthi Leela Srinnivasa Varma, Advocate for the Appellant in IA.No.1 of 2018, the Court made the following;

ORDER:

“4. This application has been filed by the 1st respondent/plaintiff to vacate the interim order dated 07.08.2018. The said order reads as under:

“There shall be interim stay subject to deposit of suit costs within four weeks from today and on condition that the petitioner-appellant shall not alienate the property, change its nature or create any third party rights thereupon, pending further orders. On deposit of suit costs, it is open to the 1st respondent-plaintiff to withdraw the said amount without furnishing any security.”

5. Learned counsel for the 1st respondent/applicant submits that in spite of the said interim order, the appellant himself is violating the same and has transferred some part of the property in question. So, the application of vacation has been filed.

6. Learned counsel for the appellant prays for time to file objections/counter-affidavit and to submit the arguments on the said application after Summer Vacation, 2025.

7. I.A.No.1 of 2024 will be considered on the next date.

8. If the contention raised by the learned counsel for the respondent/plaintiff, be correct the Court may consider to vacate the interim order. It is further directed that any further alienation, in violation of the interim order, would be viewed seriously.

9. Post after Summer Vacation, 2025.”

SD/-SK MD RAFI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

For /

To,

1. The Principal District Judge, Nellore
2. Votturu Sampathraju, S/o. Late Bhaskar Rao, Residing at 6-3-802, Ramamurthy Nagar, Nellore. (By **RPAD**)
3. One CC to Sri. Chamarthy Leela Srinnivasa Varma, Advocate [OPUC]
4. One CC to Sri. P.Sridhar Reddy, Advocate [OPUC]
5. One CC to Sri. Madhava Rao Nalluri, Advocate [OPUC]
6. Two spare copies

MM

HIGH COURT

RNT,J

&

MRK,J

DATED:02/05/2025

POST AFTER SUMMER VACATION, 2025

ORDER

IA.No.1 OF 2024

IN

AS.No.1199 of 2018

DIRECTION

