

APHC010457542024



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

[3333]

MONDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

CIVIL REVISION PETITION NO: 2940/2024

Between:

1. PEDDI REDDY GARI RAGHAVA REDDY, S/O. P. SUBBA REDDY, AGED ABOUT 60 YEARS, OCC REGISTERED MEDICAL PRACTITIONER. RICE MILL OWNER, RESIDING OF DOOR NO. 13/603-1, LECTURERS COLONY, MYDUKURTOWN AND MUNICIPALITY, KADADA DISTRICT, NOW YSR DISTRICT.

...PETITIONER

AND

1. AMUDAN JAYARAM REDDY, S/O. LATE PEDDA GURIVI REDDY, AGED ABOUT 70 YEARS, OCC CULTIVATION. RESIDING OF SETTIVARIPALLI VILLAGE AND POST, MYDUKUR MANDAL, KADAPA DISTRICT.
2. PUTHA SATYANARAYANA REDDY, S/O. PEDDI REDDY, AGED ABOUT 75 YEARS, OCC CONTRACTOR, DOOR NO. 401, JBT TOWERS, NEAR RTC BUS STAND, KADAPA DISTRICT.
3. GANGULA BASAVESWARAMMA, W/O. CHINNA VENKATA RAMAIAH AGED ABOUT 60 YEARS, OCC HOUSEWIFE, RESIDENT OF MUTHULURUPADU VILLAGE, KHAJIPET, KADAPA DISTRICT.
4. BANDI BASANNA, , (DIED)
5. PEDDI REDDY GARI SUBBA REDDY, (DIED).
6. PEDDI REDDY GARI SUDHAKAR REDDY, , S/O. SUBBA REDDY, AGED ABOUT 58 YEARS, OCC DOOR NO. 13/614-4, OLD MDO

OFFICE ROAD, MYDUKUR TOWN AND MUNICIPALITY, KADAPA DISTRICT.

7. BANDI PULLAMMA, W/O. LATE BASANNA, AGED ABOUT 80 YEARS., DOOR NO. 8/52, PRODDATUR ROAD, MYDUKUR TOWN AND MUNICIPALITY, KADAPA DISTRICT.
8. GANGULA VARALAKSHMI, W/O. CHINNA VENKATA RAMAIAH, D/O.LATE BASANNA, AGED ABOUT 55 YEARS, OCC HOUSE WIFE, MUTTULURUPADU VILLAGE, KHAJIPET MANDAL, KADAPA DISTRICT. (RESPONDENT NO. 7 AND 8 ARE LRS OF R4 IE.,BANDI BASANNA AS PER ORDER IN I.A.NO. 238 OF 2018, DATED 01/08/2018)
9. PEDDIREDDYGARI PARVATHI, W/O. LATE P. SUBBA REDDY, AGED ABOUT 45 YEARS, OCC HOUSE WIFE, D.NO. 8/187, OPPOSITE MDO OFFICE, DUVVUR TOWN AND MANDAL, KADAPA DISTRICT.
- 10.KOPPARTHI SYAMALA DEVI, , W/O. K.C. GANGI REDDY, D/O. LATE P. SUBBA REDDY, AGED ABOUT 54 YEARS, OCC HOUSE WIFE, DOOR NO. 1/101-287/67-A, CHAKRIPURAM, ECIL POST, HYDERABAD.
- 11.ERUVA SUJATHA, W/O. RAMA SUBBA REDDY, D/O. LATE P. SUBBA REDDY, AGED ABOUT 52 YEARS, OCC HOUSE WIFE, DOOR NO. 2/63, PEDDADANDLURU VILLAGE AND POST, JAMMALAMADUGU MANDAL, KADAPA DISTRICT (RESPONDENTS NO. 9 TO 11 ARE THE LRS OF R 5 I.E., PEDDIREDDYGARI SUBBA REDDY AS PER ORDER IN I.A.NO. 989/2021,DATED 23.1.2024)

...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 direct the Junior Civil Judge, Mydukur to dispose of the I.A. o. 504 of 2021 in O.S No. 128/2009 on merits within the time frame that may be fixed by this Honble court to pass

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

pleased to dispense with the filing of the certified copy of the the case status/ dates of hearings in I.A. No. 504 of 2021 in O.S.No. 128 of 2009 on the file of the Junior Civil Judge, Mydukur, YSR kadapa in present civil revision petition and to pass

Counsel for the Petitioner:

1. PENJURI VENUGOPAL

Counsel for the Respondent(S):

1.

THE HONOURABLE SMT JUSTICE V.SUJATHA**CIVIL REVISION PETITION NO: 2940/2024****ORDER:**

This Revision Petition is filed questioning the inaction on the part of the Junior Civil Judge, Mydukur, in not disposing of I.A.No.504 of 2021 in O.S.No.128 of 2009 filed to permit the petitioner to add one Kalisetti Padmavathi, as proposed 12th respondent/12th defendant in the suit and to amend prayer.

2. The suit was filed against the respondents/defendants for declaration of plaint schedule property as common ratha between the petitioner/plaintiff and the respondents/defendants and also for permanent injunction of restraining the defendant No.4 and his people from encroaching into the southern portion of the petitioner's "EFGH" property described in the petition/plaint "B" Schedule property and for other reliefs.

3. While so, on 28.10.2020, pending the said suit, the defendants sold away their land on the 3rd and 7th southern side of the EFGH property of the defendant under registered sale deed including the common ratha with measurements, north-south- 20 feet without mentioning east and west measurements and also without the knowledge and consent of the petitioner in favour of one Kalisetti Padmavathi who is the wife of one Ramanjaneyulu. As such the petitioner filed I.A.No.504 of 2021 requesting to permit him to add the said Kalisetti Padmavathi as the proposed 12th respondent/12th defendant in the said suit and to amend the plaint relief.

4. The complaint of the petitioner before this Court is that the Trial Court is not convincing any interest in the disposal of I.A.No.504 of 2021, which is causing irreparable loss to the petitioner.

5. In view of the fact that I.A.No.504 of 2021 is pending for adjudication since 2021, which in fact will be causing delay in disposal of the main suit itself. In view of the same, instead of keeping the present revision pending, this Court feels it appropriate to dispose of the same by directing the Junior Civil Judge, Mydukuru, to dispose of the I.A.No.504 of 2021 in O.S.No.128 of 2009, if not yet disposed of, in accordance with law within a period of three (3) months from the date of receipt of copy of this order.

6. Accordingly, the Civil Revision Petition is disposed of. There shall be no order as to costs.

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

JUSTICE V.SUJATHA

Date : 04.08.2025.

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HONOURABLE SMT. JUSTICE V.SUJATHA

CIVIL REVISION PETITION No.2940 of 2024

Date : 04.08.2025

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