

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
AND

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

APPEAL SUIT Nos: 581 and 582 of 2025



A.S.No.581 of 2025:

Between:

1. Mokara Lakshmana Rao (Died)
2. Mokara Venkateswara Rao, S/o. Lakshmana Rao (Late), Aged about 54 years, Occ: Business, R/o. D.No.36 - 21- 36 Sorapallivari Street, Rajahmundry

...Appellants/Plaintiffs

AND

M.S.S.V. Vara Prasada Babu, S/o. Mokara Lakshmana Rao, Aged about 40 years, R/o. D. No 36 - 21 - 36, Sorapallivari Street, Innispeta, Rajahmundry

...Respondent/Defendant

Appeal Under Section 96 of CPC is filed praying that in the circumstances stated in the grounds filed therewith, the High Court may be pleased to allow the Appeal by setting aside the Judgement and Decree dt 17.3.2025 passed in OS No.134 /2014 on the file of the Principal District Judge, East Godavari at Rajamahendravaram.

The Appeal coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of M/s MSVS SUDHA RANI Advocate for the Appellants, and of SRI M SOLOMON RAJU Advocate for the Respondent;

APPEAL SUIT NO: 582 OF 2025:

Between:

1. Mokara Lakshmana Rao, (Died)
2. Mokara Venkateswara Rao., S/o. Lakshmana Rao (Late), Aged about 54 years, Occ - Business, R/o. D.No.36 - 21- 36 Sorapallivari Street, Rajahmundry

...Appellants/Defendants

AND

M.S.S.V. Vara Prasada Babu, S/o. Mokara Lakshmana Rao Aged about 40 years, R/o. D.No - 36 - 21 - 36. Sorapallivari Street, Innispeta, Rajahmundry

...Respondent/Plaintiff

Appeal Under Section 96 of CPC is filed praying that in the circumstances stated in the grounds filed therewith, the High Court may be pleased to allow the above appeal by setting aside the Judgement and Decree dt 17.3.2025 passed in OS No.30 / 2017 on the file of the Principal District Judge, East Godavari at Rajamahendravaram.

IA NO: 2 OF 2025

Petition under Section 151 of CPC/ Under Order 41 Rule 5 of CPC praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings in the decree and Judgement dt; 17.03.2025 in O.S.No.30 / 2017 on the file of the Principal District Judge, East Godavari at Rajamahendravaram in the interest of justice, Pending disposal of AS 582 of 2025, on the file of the High Court.

The Appeal coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of M/s MSVS SUDHA RANI Advocate for the Appellants and of SRI M SOLOMON RAJU, Advocate for the Respondent, the Court made the following

ORDER:

O.S.No.30 of 2017 on the file of the Principal District Judge, East Godavari at Rajamahendravaram was instituted by the plaintiff/respondent in A.S.No.582 of 2025 seeking partition against his father and elder brother.

2. O.S.No.134 of 2014 on the file of the very same Court was filed by the father against the plaintiff (second son) seeking declaration of absolute ownership over the suit schedule property. The said suit was dismissed.

3. O.S.No.30 of 2017 was decreed and a preliminary decree for partition was passed.

4. Aggrieved by the judgments and decrees passed in both the suits, A.S.No.581 and A.S.No.582 of 2025 have been filed.

5. Learned counsel appearing for both sides submit that there are fair chances of an amicable settlement between the parties, as they are members of the same family, if the matters are referred to mediation.

6. Considering the submissions made and upon perusal of the material available on record, we are of the view that, at this stage, the parties may be referred to mediation for resolving the disputes amicably through the process of mediation.

7. The parties shall appear before the Mediation Centre of the Andhra Pradesh High Court on 26.02.2026, which shall be treated as the first date of mediation.

8. The Mediation Centre shall appoint a mediator. The learned mediator shall fix convenient dates for mediation sessions and, after



completion of the proceedings, submit a report to this Court within three (03) months from the date of the first session.

9. In the meanwhile, the proceedings for preparation of the final decree may go on, however, the final decree shall not be passed, in view of the interim order granted in A.S.No.582 of 2025.

10. Post the matters after receipt of the report from the learned mediator.

//TRUE COPY//

SD/-SK MD RAFI
DEPUTY REGISTRAR
A
SECTION OFFICER

To,

1. The Principal District Judge, East Godavari at Rajamahendravaram
2. The Secretary, High Court Mediation Centre, High Court of Andhra Pradesh at Amaravati (by Special Messenger)
3. M.S.S.V. Vara Prasada Babu, S/o. Mokara Lakshmana Rao Aged about 40 years, R/o. D.No - 36 - 21 - 36. Sorapallivari Street, Innispeta, Rajahmundry
4. Mokara Venkateswara Rao, S/o. Lakshmana Rao (Late), Aged about 54 years, Occ: Business, R/o. D.No.36 - 21- 36 Sorapallivari Street, Rajahmundry (Addressees 3 & 4 by Speed Post directed to appear before the mediation centre on 26.02.2026)
5. One CC to M/s MSVS SUDHA RANI Advocate [OPUC]
6. One CC to SRI. M SOLOMON RAJU Advocate [OPUC]
7. Two spare copies

PSR

HIGH COURT

**RNT,J
&
BM,J**

DATED:17/02/2026

NOTE: Post the matters after receipt of the report from the learned mediator.

ORDER

APPEAL SUIT Nos: 581 and 582 of 2025

DIRECTION

