

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

C.R.P.No.2258 OF 2025

Date: 12.12.2025

Between:

Grandi Venkata Appalaraju,
D.No.11-4-5, Chinna Veedhi,
Anakapalle, Visakhapatnam District.

.....Petitioner

And:

1. Grandi Narimani (died)
2. Grandhi Sankara Rao, D.No.11-4-5,
Chinna Veedhi, Anakapalle,
Visakhapatnam and others

....Respondents.

Counsel for the petitioner : M.Naga Sai Lalith Kumar

Counsel for the respondents 2 to 6 : Smt A. Varalakshmi

JUDGMENT:

1. Heard Smt M. Naga Sai Lalith Kumar, learned counsel appearing for the petitioner and Sri S.V. Subramanyam, learned counsel for the respondents 2 to 6.

2. The petitioner is the plaintiff. He filed O.S.No.151 of 2018 on the file of Additional Civil Judge (Senior Division), Anakapalli for partition. In the said suit, the plaintiff filed I.A.No.597 of 2018 for grant of temporary injunction, which was rejected by the order dated 08.07.2019.

3. Challenging the said order dated 08.07.2019, the plaintiff filed C.M.A.No.3 of 2019 on the file of X Additional District Judge, Anakapalle, which was dismissed by the judgment dated 12.04.2024.

4. Challenging the order dated 12.04.2024, the plaintiff filed C.R.P.No.1784 of 2024 before this Court, which was allowed, vide judgment dated 19.11.2024 with the following direction:

“28. The civil revision petition is allowed.

29. The parties shall maintain status quo with respect to Item-II of the plaint schedule property till the final disposal of the suit.

30. The suit is of the year 2018. The learned trial court shall make endeavour to expeditiously decide the suit without granting unnecessary adjournments.

No order as to costs.”

5. Thereafter, the plaintiff-petitioner filed the I.A.No.158 of 2025 in the suit seeking permission of the learned trial court to construct, restore and make modification of the demolished premises in item No.II of the plaint schedule property by constructing boundary wall, bath rooms and for water supply in the premises.

6. The I.A.No.158 of 2025 has been dismissed by the learned trial court vide order dated 21.07.2025, and challenging the order dated 21.07.2025, the present civil revision petition has been filed under Article 227 of the Constitution of India.

7. The learned trial court has held that on the date when the C.R.P.No.1784 of 2024 (previous C.R.P) was disposed of by this Court

on 19.11.2024, the petitioner had knowledge about the demolition of part of the wall etc, but that fact was not disclosed. The learned trial court has observed that in view of the directions of this Court in the C.R.P.No.1784 of 2024 to maintain status quo, any such permission as prayed by the petitioner in I.A.No.158 of 2025 could not be granted.

8. Learned counsel for the petitioner submits that the order of status quo would not be a bar to file I.A.No.158 of 2025 in view of some subsequent changes which necessitated construction and alteration to provide for the basic amenities to live a dignified life.

9. Even if, there be change in the circumstances as argued by the learned counsel for the petitioner to make modification or raise certain constructions, the remedy was not to approach the trial court. The trial court being bound by the orders of the High Court was not competent to pass any order contrary to the order passed by this Court in the C.R.P.No.1784 of 2024.

10. This Court does not find any illegality in the impugned order, considering the judgment and order dated 19.11.2024, passed in C.R.P.No.1784 of 2024 to maintain status quo during pendency of the suit.

11. The Civil Revision Petition is dismissed. However, granting liberty to the petitioner to seek remedy in appropriate proceedings if so advised. No order as to costs.

Consequently, the Miscellaneous Petitions, if any, pending shall also stand closed.

RAVI NATH TILHARI,J

Date:12.12.2025.
Gk.

THE HON'BLE SRI JUSTICE RAVI NATH TILHARI

73

C.R.P.No.2258 OF 2025

Date:12.12.2025.

Gk.