

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
WEDNESDAY, THE EIGHTEENTH DAY OF JANUARY, TWO THOUSAND AND TWENTY THREE

: PRESENT :

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

I.A.No. 3 of 2022

IN

S.A.No. 531 of 2022



Between:-

M/s. Godavari Townships (P) Limited, A Company incorporated under the Companies Act, Rep. by its Managing Director, Sri Vummineni Siva Nageswara Rao.

..Petitioner/Respondent/Appellant
(Appellant in S.A.No. 531 of 2022
on the file of High Court)

AND

- 1.Pyda Venkata Rao, S/o. late Sriramuly, Landlord, R/o. 27-1-92/1, Srinagar Visakhapatnam, Visakhapatnam District.
- 2.Pilla Sankara Rao, S/o. Appalaswamy Dora, Business, D.No.6-4, Railway Station Road, Kothavalasa Village and Mandal, Vizianagaram District.
- 3.Gopisetty Srinivasa Rao, S/o. late Pada Sanyasi, R/o. D.No.4-13, Relliveedhi, Railway Station Road, Kothavalasa Village and Mandal, Vizianagaram District.
- 4.Mahadasu Pydiraju, S/o. Late Narasinga Rao, Railway Station Road, Kothavalasa Village and Mandal, Vizinaagaram District.

... Defendants/Appellants/Respondents
(Respondents in-do-)

Counsel for the Petitioner : SRI M. DEVI PRASAD

Counsel for the Respondents :

Petition under Order 39 Rule 1 & 2 of C.P.C., praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to grant injunction restraining the respondents from interfering the plaint schedule property in O.S.No. 3 of 2006 dt. 1-6-2016 on the file of the court of the Senior Civil Judge's Court, Vizianagaram, Vizianagaram District, Kothavalasa Mandal, Relli Panchayat and Village, Patta No.365 to 367 and 449 Wet and Dry land as follows : Sy.No.192/2 Part, Extent of Ac. 0.24 ½ cents, 192/4 Part, Ac. 0.23 ½ cents, 192/5 part, Extent of Ac.0.22 cents, 192/7 part Ac .0.46 ½ cents 192/9 part Ac.0.06 ½ cents, 193/1 part Ac.0.34 ½ cents, 193/2 part Ac. 0.34 ½ cents, 193/6 part Ac 0.06 cents, 193/8 part Ac.0.14 cents, 194/1 part Ac. 0.12 ½ cents, 194/2 part Ac. 0.15 cents, 194/3 part Ac.0.13 cents, 194/5 part Ac.0.18 cents, 194/7 part Ac. 0.27 cents, 194/9 part Ac.0.21 cents 194/11 part Ac. 0.17 ½ cents, 194/12 part Ac. 0.16 cents, 186/2 part ac. 0.24 cents, 186/20 part Ac. 0.16 ½ cents, 186/38 part Ac. 0.03

cents, 186/42 part, Ac. 0.13 cents. Total extent Ac 4.08 ½ cents dry land bounded as follows : East : Dry land of Mahadasu Narasimha Rao, Manga Rajanna and Others, South : Gedda; West : Dry land of Manga Jodhanna, Gundala Appalal Konda and others; North : Gedda, pending disposal of the Second Appeal No. 531 of 2022 on the file of High Court filed against the Judgment and Decree in A.S.No. 49 of 2016, dated 15-6-2022 on the file of the Court of the IV Additional District and Sessions Judge, Vizianagaram, against the Decree and Judgment in O.S.No. 3 of 2006, dated 1-6-2016 on the file of the Court of the Senior Civil Judge Court, Vizianagaram, Vizianagaram District.

The Court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order. (The receipt of this order will be deemed to be the receipt of notice in the case)

ORDER:-

“Heard.

Learned counsel for the petitioner stated that appellant is in possession of the schedule property pursuant to the agreement of sale. In Para No.13 of the affidavit, it is also stated that an injunction was granted in favour of the appellant/petitioner in the suit restraining the defendants from interfering with his possession and the injunction is continued until disposal of the appeal and eventually, the suit was decreed. In appeal A.S.No.49 of 2016 injunction granted by the trial Court was not suspended.

Considering the facts and circumstances of the case, there shall be an injunction restraining the defendants from interfering with the peaceful possession of the schedule property in O.S.No.3 of 2016 on the file of the Senior Civil Judge at Vizianagaram subject to condition of petitioner/appellant depositing the suit costs as awarded by the appellate Court within a period of four (4) weeks. If the petitioner fails to deposit the said amount within six weeks, the interim order stands vacated without any further reference.”

Sd/- K. SRINIVASA RAJU,
ASISSTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER
Contd...3...

To

- 1.The District Judge, Visakhapatnam, Visakhapatnam District.(in duplicate With a copy of Injunction to serve on the Respondent No.1 and return the same to this Court)
- 2.The District, Vizianagaram, Vizianagaram District. (in duplicate With a copy of Injunction to serve on the Respondent Nos.2 to 4 and return the same to this Court)
- 3.The IV Additional District and Sessions Judge, Vizianagaram.
- 4.The Senior Civil Judge, Vizianagaram.
- 5.Pyda Venkata Rao, S/o. late Sriramuly, Landlord, R/o. 27-1-92/1, Srinagar Visakhapatnam, Visakhapatnam District.
- 6.Pilla Sankara Rao, S/o. Appalaswamy Dora, Business, D.No.6-4, Railway Station Road, Kothavalasa Village and Mandal, Vizianagaram District.
- 7.Gopisetty Srinivasa Rao, S/o. late Pada Sanyasi, R/o. D.No.4-13, Relliveedhi, Railway Station Road, Kothavalasa Village and Mandal, Vizianagaram District.
- 8.Mahadasu Pydiraju, S/o. Late Narasinga Rao, Railway Station Road, Kothavalasa Village and Mandal, Vizianaagaram District.
(Addressee Nos. 5 to 8 by RPAD)
- 9.One CC to Sri M. Devi Prasad, Advocate (OPUC)
- 10.One Spare Copy.

TKK

HIGH COURT

SRS,J

DATED : 18-01-2023

ORDER

**I.A.No. 3 of 2022
IN
SA.No. 531 of 2022**

INTERIM INJUNCTION



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

I.A.No. 3 of 2022

IN

S.A.No. 531 of 2022



Between :-

M/s. Godavari Townships (P) Limited, A Company incorporated under the Companies Act, Rep. by its Managing Director, Sri Vummineni Siva Nageswara Rao.

..Petitioner/Respondent/Appellant
(Appellant in S.A.No. 531 of 2022
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AND

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- 4.Mahadasu Pydiraju, S/o. Late Narasinga Rao, Railway Station Road, Kothavalasa Village and Mandal, Vizinaagaram District.

...Defendants/Appellants/Respondents
(Respondents in-do-)

To

- 1.Pilla Sankara Rao, S/o. Appalaswamy Dora, Business, D.No.6-4, Railway Station Road, Kothavalasa Village and Mandal, Vizianagaram District.
- 2.Gopisetty Srinivasa Rao, S/o. late Pada Sanyasi, R/o. D.No.4-13, Relliveedhi, Railway Station Road, Kothavalasa Village and Mandal, Vizianagaram District.
- 3.Mahadasu Pydiraju, S/o. Late Narasinga Rao, Railway Station Road, Kothavalasa Village and Mandal, Vizinaagaram District.

WHEREAS upon motion made unto this Court this day by Sri M. Devi Prasad, Advocate for the Petitioner and this Court directed that an interim injunction shall be issued to the Respondents herein restraining them from interfering with the peaceful possession of the schedule property in O.S.No.3 of 2016 on the file of the Senior Civil Judge at Vizianagaram subject to condition of petitioner/appellant depositing the suit costs as awarded by the appellate Court within a period of four (4) weeks.

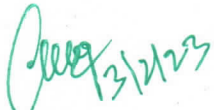
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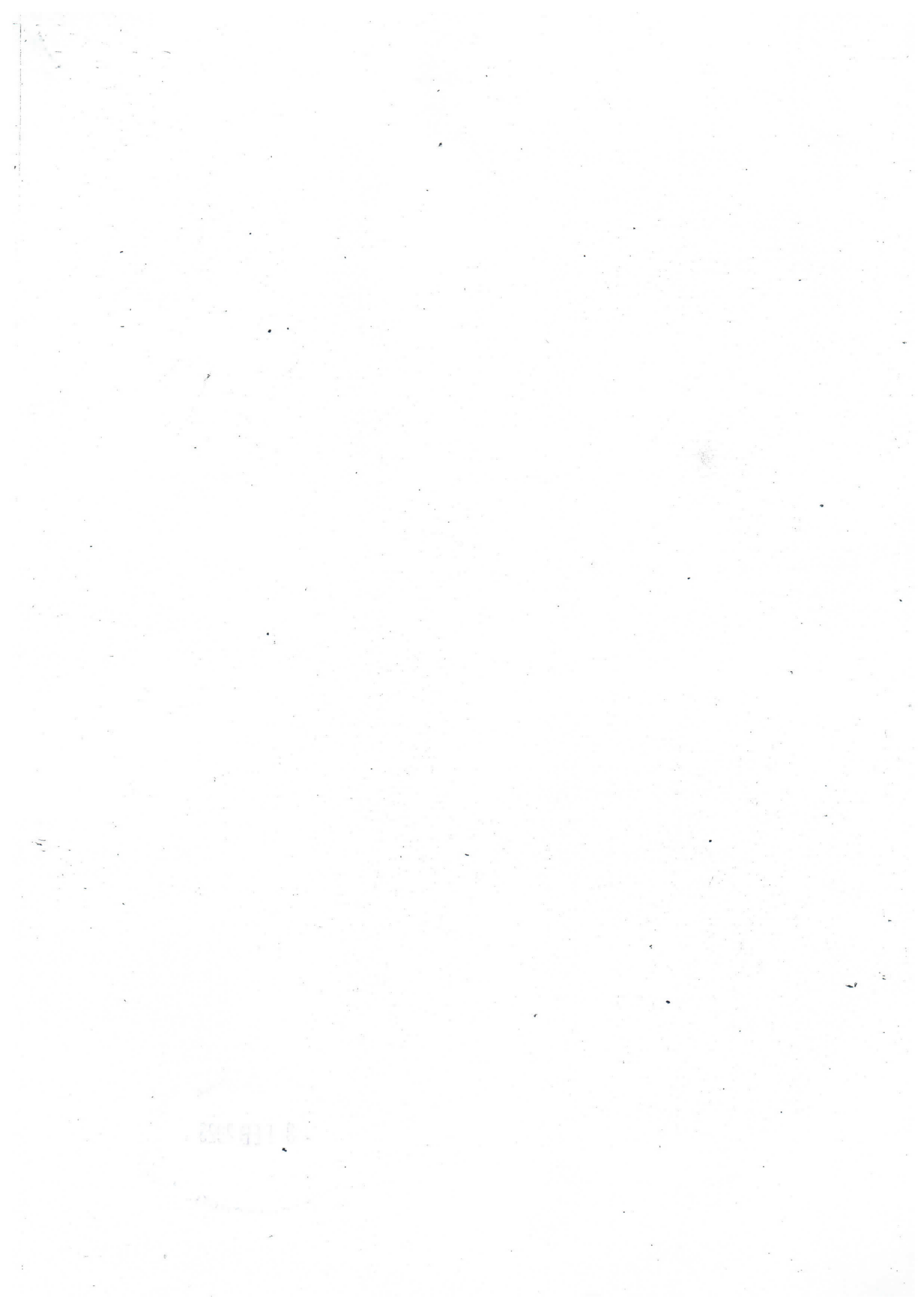
You namely;

1. Pilla Sankara Rao, S/o. Appalaswamy Dora, Business, D.No.6-4, Railway Station Road, Kothavalasa Village and Mandal, Vizianagaram District.
2. Gopisetty Srinivasa Rao, S/o. late Pada Sanyasi, R/o. D.No.4-13, Relliveedhi, Railway Station Road, Kothavalasa Village and Mandal, Vizianagaram District.
3. Mahadasu Pydiraju, S/o. Late Narasinga Rao, Railway Station Road, Kothavalasa Village and Mandal, Vizianagaram District.

are hereby restrained either by yourselves; or by your men, agents, attorneys, legal representatives etc., from interfering with the peaceful possession of the schedule property in O.S.No.3 of 2016 on the file of the Senior Civil Judge at Vizianagaram subject to condition of petitioner/appellant depositing the suit costs as awarded by the appellate Court within a period of four (4) weeks.

Given under my hand and the seal of this court, on this Wednesday, the Eighteenth day of January, 2023.


ASSISTANT REGISTRAR



HIGH COURT

SRS,J

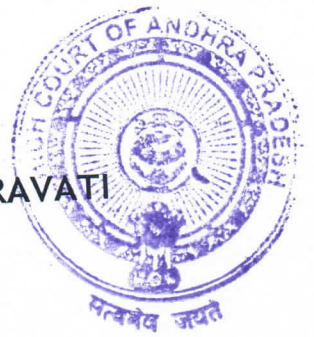
DATE: 18-01-2023

INJUNCTION TO RESPONDENT NOS.2 TO 4

I.A.No. 3 of 2022

IN
S.A.No. 531 of 2022





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I.A.No. 3 of 2022
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AND

1. Pyda Venkata Rao, S/o. late Sriramuly, Landlord, R/o. 27-1-92/1,
Srinagar Visakhapatnam, Visakhapatnam District.
2. Pilla Sankara Rao, S/o. Appalaswamy Dora, Business, D.No.6-4,
Railway Station Road, Kothavalasa Village and Mandal,
Vizianagaram District.
3. Gopisetty Srinivasa Rao, S/o. late Pada Sanyasi, R/o. D.No.4-13,
Relliveedhi, Railway Station Road, Kothavalasa Village and Mandal,
Vizianagaram District.
4. Mahadasu Pydiraju, S/o. Late Narasinga Rao, Railway Station Road,
Kothavalasa Village and Mandal, Vizianagaram District.

...Respondents/Defendants/Appellants/Respondents
(Respondents in-do-)

To

Pyda Venkata Rao, S/o. late Sriramuly, Landlord, R/o. 27-1-92/1,
Srinagar Visakhapatnam, Visakhapatnam District.

WHEREAS upon motion made unto this Court this day by Sri M. Devi Prasad, Advocate for the Petitioner and this Court directed that an interim injunction shall be issued to the Respondents herein restraining them from interfering with the peaceful possession of the schedule property in O.S.No.3 of 2016 on the file of the Senior Civil Judge at Vizianagaram subject to condition of petitioner/appellant depositing the suit costs as awarded by the appellate Court within a period of four (4) weeks.

Contd..2..

You namely;

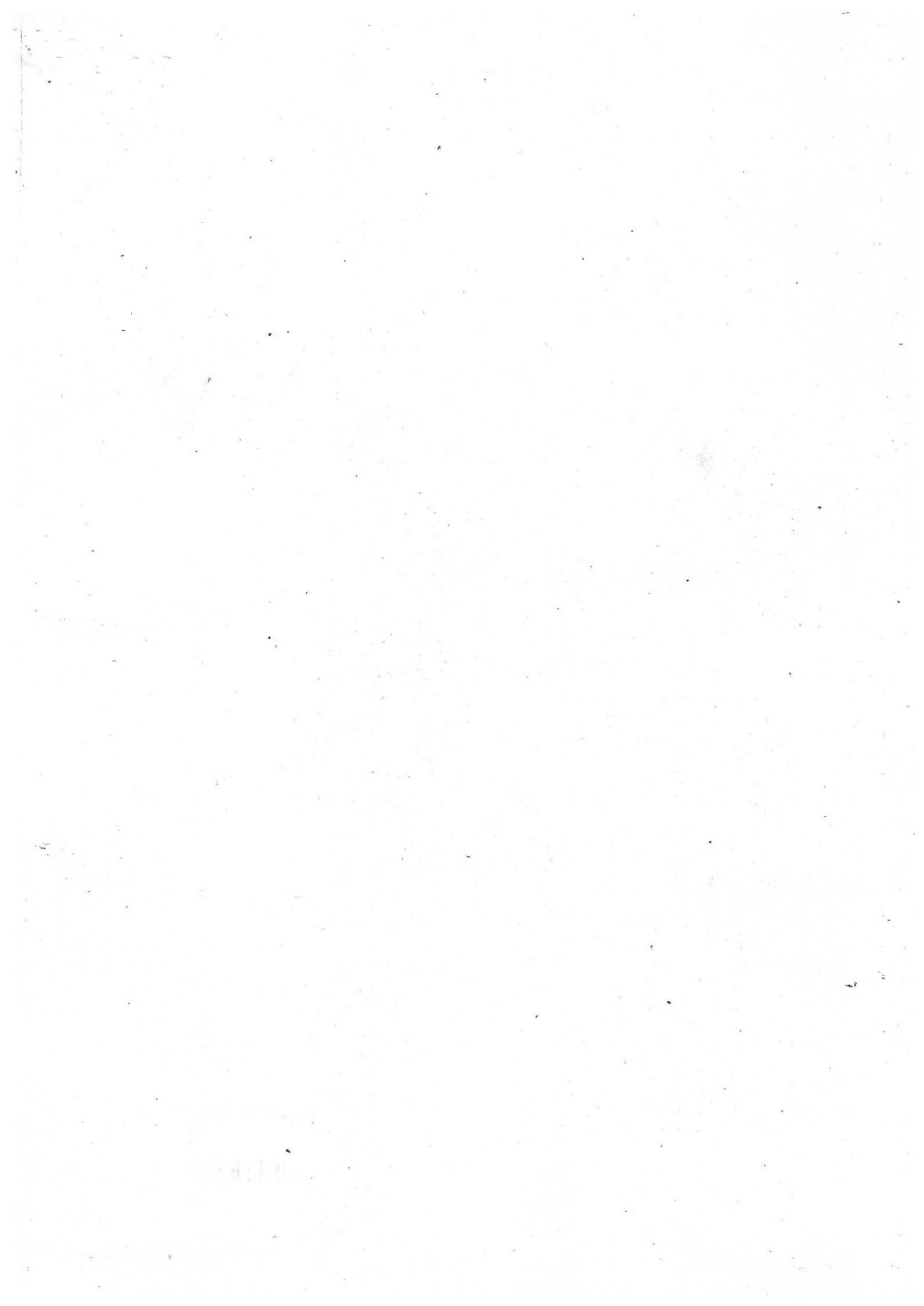
Pyda Venkata Rao, S/o. late Sriramuly, Landlord, R/o. 27-1-92/1,
Srinagar Visakhapatnam, Visakhapatnam District.

are hereby restrained either by yourselves; or by your men, agents, attorneys, legal representatives etc., from interfering with the peaceful possession of the schedule property in O.S.No.3 of 2016 on the file of the Senior Civil Judge at Vizianagaram subject to condition of petitioner/appellant depositing the suit costs as awarded by the appellate Court within a period of four (4) weeks.

Given under my hand and the seal of this court, on this
Wednesday, the Eighteenth day of January, 2023.



ASSISTANT REGISTRAR



HIGH COURT

SRS,J

DATE: 18-01-2023

INJUNCTION TO RESPONDENT NO.1

I.A.No. 3 of 2022

IN

S.A.No. 531 of 2022

