



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

[3209]

FRIDAY, THE TWELFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

CIVIL REVISION PETITION NO: 3135/2025

Between:

1. B.S. ASWINI,, W/O B.CHINNA MUTHYALAI AH, AGED ABOUT 48 YEARS.R/O. D.NO.5-298, POTHULAPATTU STREET, MADANAPALLE, ANNAMAYYA DISTRICT.
2. B.S.ANCHITHA,, M/O B.S. ASWINI, AGED ABOUT 17 YEARS,R/O. D.NO.5-298, POTHULAPATTU STREET, MADANAPALLE, ANNAMAYYA DISTRICT.
3. B.S.ARPITHA, , M/O B.S. ASWINI, AGED ABOUT 15 YEARS,R/O. D.NO.5-298, POTHULAPATTU STREET, MADANAPALLE, ANNAMAYYA DISTRICT. (NOS.2 AND 3 ARE MINORS REP. BY ITS NATURAL GUARDIAN MOTHER OF THE 1 PETITIONER).

...PETITIONER(S)

AND

1. M PANDURANGAIAH, S/O NARAYANA CHETTY, AGED ABOUT 87 YEARS. BUSINESS, PROP. PRAKASH MEDICALS AND RESIDING AT NEHRU BAZAR, PILER VILLAGE AND MANDAL, ANNAMAYYA DISTRICT.
2. B MUTHYALAI AH, S/O ADINARAYANA CHETTY, AGED ABOUT 65 YEARS BUSINESS, RESIDING AT D.NO. 17-406/1/1, UPSTAIRS, OPP. NTR SCHOOL, NEHRU NAGAR, MADANAPALLE TOWN, ANNAMAYA
3. P PRAVEEN KUMAR, S/O P.L.PRASAD, AGED ABOUT 49 YEARS, BUSINESS, RESIDING AT BAZAAR STREET, PUNGANUR, CHITTOR

DISTRICT.

4.B CHINNA MUTHYALAIAH, , S/O LATER ADINARAYANA CHETTY,
AGED ABOUT 60 YEARS. DEPENDENT, RESIDING AT D.NO.2/137,
BAZAAR STREET, CHEMBAKUR, RAMASAMUDRAM MANDAL,
ANNAMAYYA DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner(S):

1.V SAI KUMAR

Counsel for the Respondent(S):

1.

The Court made the following Order:

Heard learned counsel for the petitioner. As the matter is being disposed of without going into the merits, notice to the respondents is deemed not necessary.

2. The grievance of the petitioners in the present revision petition is that the E.A filed by them in E.A No.63 of 2023 in O.E.P No.19 of 2010 in O.S No.5 of 2004 on the file of the learned Senior Civil Judge, Punganur under Order XXI Rule 58 and Section 151 of C.P.C on 03.09.2025 was returned on number of occasions, despite due compliance with the objections raised by the office.

3. The learned counsel while drawing the attention of this Court to para-4 containing the details of returns and representations, points out that though a request was made by the learned counsel for the petitioners as long back as on 10.09.2025 to call the matter on the Bench for any clarification, without acceding to the said request, the E.A was returned on different dates. He submits that, under the said circumstances, the petitioners having left with any other alternative are constrained to file the present revision petition invoking the powers under Article 227 of the Constitution of India.

4. This Court has considered the submissions made and perused the material on record.

5. As seen from the endorsement with regard to the objections raised by the office and the compliance thereof by the petitioners, it is clear that the petitioners requested the office to place the matter before the Hon'ble Court/Bench. However, the E.A was returned with the objections, despite an endorsement that there is urgency in the matter.

6. In the light of the request made by the petitioners, the learned Executing Court/Senior Civil Judge, Punganur, should have taken up the matter for consideration and passed orders on the objections raised by the office, after

giving due opportunity to the petitioners' counsel. Such a procedure was not adopted. Further, if there are any objections for numbering the Application/Petition, all such objections shall be raised at a time, but not in a piecemeal manner.

7. In the aforesaid view of the matter, this Civil Revision Petition is disposed of, providing that the learned Principal Senior Civil Judge, Punganur, shall take up un-numbered E.A. No. of 2025 i.e., Claim Petition filed by the petitioners in E.A No.63 of 2023 in O.E.P No.19 of 2010 in O.S No.5 of 2004 and pass appropriate orders on the objections raised, after giving due opportunity to the petitioners, as expeditiously as possible, at any rate within a period of four (04) weeks from the date of receipt of copy of this order. No costs. Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE NINALA JAYASURYA

Date:12.12.2025
Ksj