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APHC010612412025



IN THE HIGH COURT OF ANDHRA PRADESH

AT AMARAVATI

[3331]

(Special Original Jurisdiction)

FRIDAY, THE 3rd DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

CIVIL REVISION PETITION NO: 3157/2025

Between:

1.K.RAGHAVENDRA REDDY,, S/O K.C.HANUMANTHA REDDY, AGED ABOUT 45 YEARS, R/O D.NO.7/144, PRAKASH ROAD, ANANTHAPURAMU.

...PETITIONER

AND

1.S AMEEDA BANU, W/O S.FAKRUDDIN, AGED ABOUT 73 YEARS, R/O D.NO. 12/72, SAI NAGAR, ANANTHAPURAMU

2.SARALA NARASIMHULU, S/O LATE ACHAPPA, AGED ABOUT 62 YEARS. REAL ESTATE BUSINESS, R/O D.NO.6-3-361, NEAR REGISTRAR OFFICE, RAMNAGAR, ANANTHAPURAMU.

3.S SHAKEENA BEE DIED, W/O FAKRUDDIN. LRS RESPONDENTS 4 TO 6 HEREUNDER

4.S CHAND BASHA DIED, A

5.S ASHIQ, S/O FAKRUDDIN, AGED ABOUT 45 YEARS, R/O D.NO. 13-2-732, CAN APARTMENT, RAMACHANDRA NAGAR, ANANTHAPURAMU.

6.S JEELAN, S/O FAKRUDDIN, AGED ABOUT 44 YEARS, R/O D.NO. 13-2-732, CAN APARTMENT, RAMACHANDRA NAGAR, ANANTHAPURAMU.

7.SHAIK NIYAZ AHMED, S/O SHAIK FAKRUDDIN, AGED ABOUT 43 YEARS, R/O D.NO. 13-2-727, CAN APARTMENT, RAMACHANDRA NAGAR, ANANTHAPURAMU.

...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 set-aside the order dated 10.10.2025 passed in I.A.No.543 of 2025 in O.S.No.12 of 2008 by the Court of the Principal Civil Judge (Junior Division), Ananthapuram

IA NO: 1 OF 2025

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 to stay all further proceedings in O.S.No.12 of 2008 on the file of the Court of the Principal Civil Judge (Junior Division), Ananthapuramu, pending disposal of the CRP

Counsel for the Petitioner:

1.J UGRANARASIMHA

Counsel for the Respondent(S):

1.AYESHA AZMA S

2.

The Court made the following order:

Heard Sri C.Leela Srinivas, learned counsel representing Sri J.Ugranarasimha, learned counsel for the petitioner and Smt. S.Ayesha Azma, learned counsel for the 2nd respondent.

2. Assailing the order dated 10.10.2025 in I.A.No.543 of 2025 in O.S.No.12 of 2008 on the file of the Principal Civil Judge (Junior Division), Ananthapuramu, the above revision was filed.

3. The revision petitioner, being the plaintiff, filed O.S.No.12 of 2008 seeking perpetual injunction in respect of two items of the schedule property. The plaintiff asserted title to the 1st item of the property by virtue of a registered sale deed dated 21.11.1996, and in respect of the 2nd item, by virtue of a registered sale deed dated 27.03.2001. The defendants 1 and 3 filed their separate written statements in April, 2008. In the written statement filed by the 3rd defendant in respect of the 1st item of the schedule property, it was specifically contended that there was an exchange deed and, asserted the title.

4. Likewise, the 1st defendant filed the written statement in respect of the 2nd item and denied the title of the plaintiff.

5. Merely after seventeen years of the institution of the suit and filing the written statement and after the commencement of the trial, the plaintiff filed

I.A.No.543 of 2025 seeking amendment of the plaint to insert paragraph 4(a), some portion in paragraph 5, paragraph 6(a), and paragraph 8(c). By way of the proposed amendment, the plaintiff sought a declaration of title and a consequential permanent injunction. In the affidavit filed in support of the petition, it was pleaded that defendants 1 and 3 filed their respective written statements denying the title, and hence, the application was filed seeking amendment. A counter was filed by the 7th defendant, who is the legal representative of the 3rd defendant, opposing the application.

6. The trial Court dismissed the application.

7. Learned counsel for the revision petitioner would submit that no prejudice will be caused to the defendants if the proposed amendment is ordered and that the amendment was sought to avoid multiplicity of proceedings. However, the trial Court did not consider the said aspect.

8. Per contra, Smt. S.Ayesha Azma, learned counsel for the 2nd respondent, would submit that the plaintiff failed to explain the delay as mandated under Order VI Rule 17 C.P.C.; no reasons were assigned by the plaintiff after seventeen years, and the claim of the plaintiff is barred by limitation.

9. **The point for consideration is:**

Whether the order dated 10.10.2025 in I.A.No.543 of 2025 in O.S.No.12 of 2008 on the file of the Principal Civil Judge (Junior Division), Ananthapuramu, suffers from any illegality?

10. Thus, as seen from the pleadings, the plaintiff filed the suit seeking a perpetual injunction based on two registered sale deeds dated 21.11.1976 and 26.06.2001. Defendants 1 and 3 filed their separate written statements and denied the title in April, 2008.

11. In ***M/S. Revajeetu Builders & Developers vs. M/S. Narayanaswamy & Sons & others***¹, the Hon'ble Apex Court have summarized the principles regarding the amendment of pleadings in paragraphs 62 and 63.

12. The Guideline No.6 in ***M/S. Revajeetu Builders***, outlines that, as a general rule, the Court should decline an amendment if a fresh suit on the amended claim is barred by limitation on the date of the application, which applies to the facts of the present case. In fact, the trial court considered all these aspects and dismissed the application filed by the petitioner.

13. Given the facts and circumstances of the case, this Court doesn't find any illegality or irregularity in the order dated 10.10.2025 in I.A.No.543 of 2025 in O.S.No.12 of 2008 on the file of the Principal Civil Judge (Junior Division), Ananthapuramu. The revision petition is liable to be dismissed.

14. Accordingly, the civil revision petition is dismissed. There shall be no order as to costs.

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

JUSTICE SUBBA REDDY SATTI

Dated: 03.07.2026

SNI

Whether the order is:

Speaking Yes/No / Recorded Yes/No

Reportable Yes/No / Non-Reportable Yes/No

¹ 2009 (10) SCC 84

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THE HON'BLE SRI JUSTICE SUBBA REDDY SATTI

CIVIL REVISION PETITION No.3157 of 2025

Dated: 03.07.2026
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