

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY ,THE EIGHTH DAY OF DECEMBER

TWO THOUSAND AND TWENTY FIVE



:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

AND

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

APPEAL SUIT NO: 613 OF 2025

Between:

S.A.Saravana Kumar, S/o.late S.Arumugam, aged about 34 years,
R/o.D.No. 16-56, Ground Floor, Church Street, Chittoor Town and
District

Appellant/Defendant No.3

AND

1. Smt. E.Haritha, W/o.Late S.A.Balaji Babu, Hindu, aged about 31 years,
R/o.D.No. 16-56, 1st Floor, Church Street, Chittoor Town and District.
2. Minor B.Kesav, S/o.Late S.A.Balaji Babu, Hindu, aged about 5 years,
rep., by his mother and natural guardian, Smt. E.Haritha, R/o.D.No.
16-56, 1st Floor, Church Street, Chittoor Town and District,
3. S.A.Dhanakoti, S/o.Late S.Arumugam, aged about 42 years, R/o.D.No.
16-56, Ground Floor, Church Street, Chittoor Town and District.
4. S.A.Arul Kumar, (died)
5. Smt. A.Geetha Devi, W/o.P.Palani, Hindu, aged about 43 years,
R/o.Opp.Little Rose School, Vanniyar Block, Chittoor Town and District.
6. Ellamma (died)

7. Mr, K.R.Harinath Reddy, S/o.K.C.Reddppa Reddy, Hindu, aged about 54 years, r/o D.No, 2-245-6-2-2, Ravindranagar, Kuravanka, Madanapalli Post and Mandal, Previously Chittoor Dist, Presently Madanapalli District.
8. A.Balakrishnama Naidu, S/o.Late Venkataswamy Naidu, Hindu, aged about 69 years, R/o.D.No. 190, Rampuram, Gudipala Mandal, Chittoor District.

Respondents No.3 to 8/Defendants 1,2,4 to 7

Appeal Under Section 96 of CPC is filed, against the decree and Judgment dated. 25.8.2025 passed in O.S. No. 101/2015 on the file of the IX Addl. District Judge, Chittoor.

IA NO: 1 OF 2025

Petition under Section 151 CPC R/w Order 41 Rule 5 of CPC is filed 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 I.A.No. 147/25 in O.S.No. 101/2015 on the file of IX Addl. Dist. Judge, Chittoor, including passing of final decree, Pending disposal of AS 613 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the memorandum filed in support thereof and upon hearing the arguments of Sri DEVALARAJU ANIL KUMAR Advocate for the Petitioner, Sri L J VEERA REDDY Advocate for the Respondent No.1, the Court made the following.

ORDER

Sri D. Anil Kumar, learned counsel for the appellant who is the defendant No.3 in the suit for partition and Sri L.G. Veera Reddy, learned counsel appearing for the respondents-plaintiffs 1 and 2 submits that in

the plaint schedule properties, the appellant was given 1/3rd share along with others.

2. Learned counsel for the appellant submits that with respect to those properties the case of the defendant No.3 was based on the Will. Consequently, the submission is that those properties were given to the said defendant by the Will. So, no share could be given to others.

3. Issue notice to the respondent Nos.3, 5, 7 and 8.

4. List after four weeks.

5. After having considered the submissions of the learned counsels, that as an interim measure, it is provided that the proceedings for final decree may go on but the final decree shall not be prepared.

SD/- B.PRASAD RAO
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The IX Additional District Judge, Chittoor.
2. Smt. E.Haritha, W/o.Late S.A.Balaji Babu, Hindu, aged about 31 years, R/o.D.No. 16-56, 1st Floor, Church Street, Chittoor Town and District.
3. Minor B.Kesav, S/o.Late S.A.Balaji Babu, Hindu, aged about 5 years, rep., by his mother and natural guardian, Smt. E.Haritha, R/o.D.No. 16-56, 1st Floor, Church Street, Chittoor Town and District,
4. S.A.Dhanakoti, S/o.Late S.Arumugam, aged about 42 years, R/o.D.No. 16-56, Ground Floor, Church Street, Chittoor Town and District.
5. Smt. A.Geetha Devi, W/o.P.Palani, Hindu, aged about 43 years, R/o.Opp.Little Rose School, Vanniyar Block, Chittoor Town and District.

6. Mr, K.R.Harinath Reddy, S/o.K.C.Reddppa Reddy, Hindu, aged about 54 years, r/o D.No, 2-245-6-2-2, Ravindranagar, Kuravanka, Madanapalli Post and Mandal, Previously Chittoor Dist, Presently Madanapalli District.
7. A.Balakrishnama Naidu, S/o.Late Venkataswamy Naidu, Hindu, aged about 69 years, R/o.D.No. 190, Rampuram, Gudipala Mandal, Chittoor District. (2 to 7 by RPAD)
8. One CC to SRI. DEVALARAJU ANIL KUMAR Advocate [OPUC]
9. One CC to SRI. L J VEERA REDDY Advocate [OPUC]
10. **Two spare copies**

HIGH COURT

**RNT,J
&
MRK,J**

DATED:08/12/2025

LIST AFTER FOUR WEEKS

ORDER

AS.No.613 of 2025

DIRECTION

