



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
SATURDAY, THE TWENTY EIGHTH DAY OF DECEMBER,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

HONOURABLE SRI JUSTICE T.C.D.SEKHAR
CRP Nos.: 2255 & 3177 OF 2008

CIVIL REVISION PETITION NO: 2255 OF 2008

Between:

Thummala Siva Rama Krishna Prasad, S/o. Ranga Rao, aged about 48 years,
15th Ward, Near Kalpana Building, Nidubrolu, Ponnuru Mandal, Guntur
District.

...Petitioner/
Petitioner/
JDR

AND

1. Movva Srinivasa Rao, S/o. Satyanarayana, Aged 48 years, Financier
and Money Lender 1st Lane, Netaji Nagar, Nidubrolu, Ponnuru Mandal,
Guntur District.

1st Respondent/
D.HR

2. Kurru Venkataratnam, S/o. Sessaiah, aged 67 years, Money Lender, 1st
Lane, Netaji Nagar, Nidubrolu, Ponnur Mandal, Guntur District
(Died as per LRs RR 3 to 5)
3. Yamparala Gowriswari, W/o Lakshmana Rao Aged 62 years, Housewife
R/o - D.No 14-9-16, Nethaji Nagar, Nidubrolu, Ponnuru Mandal Guntur
District.
4. Kurra Vani, W/o Jetty Srinivasa Chowdary Aged 51 years, Housewife,
R/o - D.No 14-9-11/2, Nethaji Nagar, Nidubrolu, Ponnuru Mandal
Guntur District.

5. Kurra Venu Babu, S/o Late. Venkatratnam Aged 48 years, Business,
R/o D.No. 14-9-11/2, Nethaji Nagar, Nidubrolu, Ponnuru Mandal Guntur
District.

**(Respondent Nos.3 to 5 have been brought on record as LRs of
deceased 2nd respondent as per court order dt.28-12-2024 vide I.A.No.3
of 2023 in CRP.No.2255 of 2008)**

...Respondents

Petition under Section 115 of C.P.C, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to allow the revision petition and to set aside the order of the Principal Junior Civil Judge, Ponnuru dated 25-03-2008 passed in EA No. 110 of 2006 in EP No. 59 of 1999 in OS No. 51 of 1995 to the extent of directing the Petitioner/petitioner/J.Dr to deposit a sum of Rs. 4,15,000/- plus Rs. 25,000/- totaling to Rs 4,40,000/- with interest at 5% pa from the date of auction on or before 30-04-2008.

IA NO: 1 OF 2008 (C.R.P.M.P.No.2975 of 2008)

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 grant stay of all further proceedings in EA No. 110 of 2006 in EP No. 59 of 1999 in OS No. 51 of 1995 and also in EP No. 110 of 1999 in OS No. 51 of 1995 on the file of the Principal Junior Civil Judge, Ponnuru, Pending disposal of CRP 2255 of 2008, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri Narasimha Rao Gudiseva, Advocate for the Petitioner and of Sri Y. Subba Rao, Advocate for the Respondents.

CIVIL REVISION PETITION NO: 3177 OF 2008

Thummala Siva Rama Krishna Prasad, S/o. Ranga Rao, aged about 48 years, 15th Ward, Near Kalpana Building, Nidubrolu, Ponnuru Mandal, Guntur District.

...Petitioner/

Petitioner/

JDR

AND

1. Movva Srinivasa Rao, S/o. Satyanarayana, Aged 48 years, Financier and Money Lender 1st Lane, Netaji Nagar, Nidubrolu, Ponnuru Mandal, Guntur District.

1st Respondent/

D.HR

2. Kurru Venkataratnam, S/o. Sessaiah, aged 67 years, Money Lender, 1st Lane, Netaji Nagar, Nidubrolu, Ponnur Mandal, Guntur District
(Died as per LRs RR 3 to 5)
3. Yamparala Gowriswari, W/o Laksmana Rao Aged 62 years, Housewife R/o - D.No 14-9-16, Nethaji Nagar, Nidubrolu, Ponnuru Mandal Guntur District.
4. Kurra Vani, W/o Jetty Srinivasa Chowdary Aged 51 years, Housewife, R/o - D.No 14-9-11/2, Nethaji Nagar, Nidubrolu, Ponnuru Mandal Guntur District.
5. Kurra Venu Babu, S/o Late. Venkatratnam Aged 48 years, Business, R/o D.No. 14-9-11/2, Nethaji Nagar, Nidubrolu, Ponnuru Mandal Guntur District.

(Respondent Nos.3 to 5 have been brought on record as LRs of deceased 2nd respondent as per court order dt.28-12-2024 vide I.A.No.3 of 2023 in CRP.No.3177 of 2008)

...Respondents

Petition under Section 115 of C.P.C, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased allow the revision petition and to set aside the order of the Principal Junior Civil Judge, Ponnuru dated 30-04-2008 passed in EA No. 110 of 2006 in EP No. 59 of 1999 in OS No. 51 of 1995.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri Narasimha Rao Gudiseva, Advocate for the Petitioner and of Sri Y.Subba Rao, Advocate for the Respondents, the Court made the following

ORDER:

“By letter dated 25.10.2024, the Principal District Judge, Guntur informed this Court that the amount of Rs.5,03,157/- is available to the credit of EP. No.59 of 1999 in OS.No.51 of 1995 on the file of Principal Civil Judge (Junior Division), Ponnur.

It is also further stated in the said letter that, the amount of Rs.2,09,154/- was attached by way of pro-order dated 05.07.2007 in OS.No.51 of 1995 on the file of Civil Judge (Senior Division), Bapatla. After deducting the said amount, the balance amount of Rs.2,94,000/- is available in the Civil Court deposits as against the EP.No.59 of 1999 in OS.No.51 of 1995.

After hearing both the counsel, it was suggested that the petitioner is ready to forego the amount which is deposited before the executing Court together with the accrued interest thereon, to which the counsel for the respondents/auction purchasers replied that, in the earlier connection, the executing Court did not mention the interest accrued to the amount deposited by the petitioner.

To put a quietus to the litigation, this Court directs the executing Court to furnish the details of the interest component as against the amount deposited by the petitioner by the next date of hearing.

Post the matter on 07.01.2025."

Sd/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To

1. The Principal Civil Judge(Junior Division), Ponnur.
2. The Civil Judge (Senior Division), Bapatla.(Addressee nos.1 & 2 by **Speed Post**)
3. Movva Srinivasa Rao, S/o. Satyanarayana, Aged 48 years, Financier and Money Lender 1st Lane, Netaji Nagar, Nidubrolu, Ponnuru Mandal, Guntur District.
4. Yamparala Gowriswari, W/o Lakshmana Rao Aged 62 years, Housewife R/o - D.No 14-9-16, Nethaji Nagar, Nidubrolu, Ponnuru Mandal Guntur District.
5. Kurra Vani, W/o Jetty Srinivasa Chowdary Aged 51 years, Housewife, R/o - D.No 14-9-11/2, Nethaji Nagar, Nidubrolu, Ponnuru Mandal Guntur District.
6. Kurra Venu Babu, S/o Late. Venkatratnam Aged 48 years, Business, R/o D.No. 14-9-11/2, Nethaji Nagar, Nidubrolu, Ponnuru Mandal Guntur District.(**Addressee nos.3 to 6 by RPAD**)
7. One CC to Sri Narasimha Rao Gudiseva, Advocate [OPUC]
8. One CC to Sri Y Subba Rao, Advocate [OPUC]
9. One CC to SRI A Veeraseshwar Rao, Advocate [OPUC]
10. One CC to Sri K V Subrahmanya Narasu, Advocate [OPUC]
11. **One spare copy**

CVSS

HIGH COURT

TCDS,J

DATED:28/12/2024

POST THE MATTER ON 07.01.2025.

ORDER

CRP Nos.: 2255 & 3177 OF 2008

DIRECTION

