



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

[3299]

THURSDAY, THE EIGHTH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

CIVIL REVISION PETITION NO: 3788/2025

Between:

1. MORAMPUDI RANGADHAMA CHOWDARY, S/O LATE SATYANARAYANA, AGED ABOUT 70 YEARS, RESIDENT OF D.NO. 10-50-17, WALT AIR UPLANDS, HSBC-CALL CENTRE (PRESENT WNS), SIRIPURAM, VISAKHAPATNAM-530003.
2. VELLANKI LOKNADH VENKATA SATYANARAYANA,, S/O LAXMANARAO, AGED ABOUT 62 YEARS, RESIDENT OF D.NO.50-96-12/8, TPT COLONY, SEETHAMMADHARA, VISAKHAPATNAM-530013.

...PETITIONER(S)

AND

1. SRI CHANDRA FARMS AND RESORTS INDIA LTD, Rep. by Bailapudi Demudu, S/o Satyam, Aged about 56 years, resident of 199-154, Karrivaari Veedhi, Mogalipuram, Sabbavaram Visakhapatnam-531035.

...RESPONDENT

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 please to set aside the order dated 04.12.2025 in I.A No.108/2025 in I.A. No.91/2025 in OS No.43 of 2025 on the file of the Hon'ble Civil Judge, Madugula, at Visakhapatnam District, by allowing the present Civil Revision Petition and to pass

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 OS.No.43 of 2025 on the file of Junior Civil Judge, Madugula, at Visakhapatnam District, and pass

Counsel for the Petitioner(S):

1.K B RAMANNA DORA

Counsel for the Respondent:

1.

The Court made the following:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

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ORDER:

Heard Sri V.Ch.Naidu, learned counsel representing Sri K.B.Ramanna Dorra, learned counsel for the petitioners.

2. The petitioners are the defendants in the suit being O.S.No.43 of 2025 in the Court of Civil Judge (Junior Division) at Madugula. The suit was filed by the plaintiff- respondent. In the suit I.A.No.91 of 2025 was filed by the plaintiff for temporary injunction. The learned Trial Court granted ad-interim injunction at the time of issuance of urgent notice to the defendants. The operative portion of the ad-interim injunction dated 11.11.2025 reads as under:

“6. In the result, an interim injunction is granted by restraining the respondents, their men, servants and agents from alienating the suit schedule property to any third parties, by way of prohibitory interim injunction till 25.11.2025. the petitioner is directed to comply order 39 Rule 3(1) CPC Notice.”

3. The plaintiff has prayed in the application for temporary injunction restraining the defendants from interfering with the peaceful possession and enjoyment of the schedule properties pending disposal of the suit. That prayer reads as under:

“I, therefore humbly pray this Hon’ble Court that may pleased to grant an ad-interim ex-parte injunction restraining the defendants, their agents and servants not to interfere with my peaceful possession and enjoyment of the schedule premises, pending disposal of the suit, in the interest of justice, as otherwise, I will suffer irreparable loss and injury.”

4. The ad-interim injunction granted being different than that prayer made, the plaintiff filed I.A.No.108 of 2025 for correction in the order dated 11.11.2025. The said application has been allowed by an order dated 04.12.2025 in the following terms:

“In the result, this petition is allowed, and the error that occurred in the operative portion of the ad-interim order passed in I.A.No.91 of 2025 is hereby rectified. The operative portion shall be read as follows:

From:

“restraining the defendants from alienating the suit schedule property to others.”

TO:

“Restraining the defendants from interfering with the peaceful possession and enjoyment of the plaintiff over the suit schedule property”.”

5. Challenging the order dated 04.12.2025, the present CRP under Article 227 of Constitution of India has been filed.

6. Learned counsel for the petitioners submits that the application for correction filed under Section 152 CPC was not maintainable. There was no clerical or arithmetical mistake and consequently, the learned Trial Court acted illegally and without jurisdiction in making correction of the order dated 11.11.2025.

7. He further submits that in the suit, the petitioners have put an appearance and have also filed counter to I.A.No.91 of 2025 which is pending for consideration.

8. I have considered the aforesaid submission and perused the material on record.

9. So far as the submission advanced to challenge the impugned order is concerned, I do not find any force.

10. Section 152 of CPC reads as under:

“152. Amendment of judgments, decrees or orders.—Clerical or arithmetical mistakes in judgments, decrees or orders or errors arising therein from any accidental slip or omission may at any time be corrected by the Court either of its own motion or on the application of any of the parties.”

11. Section 152 provides that Clerical or arithmetical mistakes in judgments, decrees or orders or errors arising therein from any accidental slip or omission may at any time be corrected by the Court either of its own motion or on the application of any of the parties. Sometimes it may happen that the Court may say something or omit to say something which he did not intent to say or to omit, may be inadvertently or by mistake.

12. The prayer in the temporary injunction application was to restrain the defendants, their agents and servants from interfering with the peaceful possession and enjoyment of the schedule properties. The ad-interim injunction was granted by restraining the defendants, their men, servants and agents from alienating the suit schedule property to any third parties by way of prohibitory interim injunction, which was not at all a prayer made in the application. Consequently, the error which occurred in the order dated

11.11.2025 was certainly a clerical error arising from an accidental slip and it being apparent the same could be corrected by the learned Trial Court on the application filed by the plaintiff for correction.

13. I am of the view that the error which occurred in the order dated 11.11.2025 is in the nature of only a clerical mistake and it has rightly been corrected.

14. The Civil Revision Petition has got no force and is dismissed.

No order as to costs.

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

RAVI NATH TILHARI, J

Dated: 08.01.2026
AG

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

CIVIL REVISION PETITION NO: 3788/2025

Dated: 08.01.2026
AG