



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

[3397]

FRIDAY, THE SIXTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

**THE HONOURABLE SRI JUSTICE VENUTHURUMALLI GOPALA
KRISHNA RAO**

SECOND APPEAL NO: 652/2017

Between:

1. C. VARADIAH, (DIED) CHITTOOR DIST AND 3 OTHERS,
C.DHANAMMA, W/O LATE C.VARADIAH, HINDU, AGED ABOUT 70
YEARS;
2. C.MUNICHANDRAIAH,, S/O LATE C.VARADIAH, HINDU, AGED
ABOUT 49 YEARS;
3. C.MUNIKRISHNAIAH,, S/O LATE C.VARADIAH, HINDU, AGED
ABOUT 35 YEARS; 1 TO 3 ARE AGRICULTURISTS, RESIDING AT
ITHEPALLI VILLAGE AND POST, CHANDRAGIRI MANDAL,
CHITTOOR DISTRICT
4. S.MUNIRAJMMA,, W/O KANNAIAH, HINDU, AGED ABOUT 38
YEARS, HOUSE WIFE, KARVETI NAGARAM, KARVETINAGARAM
MANDAL, CHITTOOR DISTRICT.

...APPELLANT(S)

AND

1. PADIRI SOMASEKHAR REDDY CHITTOOR DIST 2 OTHERS, S/O
P.KRISHNA REDDY, CUTIVATION, AGED ABOUT 40 YEARS,
RESIDING AT ITHEPALLI, CHANDRAGIRI MANDAL, CHITTOOR
DISTRICT
2. SHAIK DASTHAGIRI SAHEB, S/O SHAIK HUSSAIN SAHEB, MUSLIM,
AGED ABOUT 72 YEARS, RESIDING AT ITHEPALLI, CHANDRAGIRI
MANDAL, CHITTORO DISTRICT.
3. SHAIK ALLABAKSHU, S/O SHAIK DASTHAGIRI SAHEB, MUSLIM,
AGED ABOUT 42 YEARS, WORKING AS GANGMAN, SOUTH
CENTRAL RAILWAY, RENIGUNTA MANDAL, CHITTOOR DISTRICT.

...RESPONDENT(S):

Appeal under section _____ against orders against the decree
and judgement, dt:06.02.2017 made in A.S.No.10/2000 on the file of VI
Additional District Judge, Tirupati confirming the judgement and decree,
dt:03.12.1999 on the file of I Additional Junior Civil Judge, Tirupati in
O.S.No.494/ 1992,

IA NO: 1 OF 2017(SAMP 1376 OF 2017)

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
condone the delay of 89 days in resubmitting the SA.SR.No. 10903 of 2017 in
the interest of justice and pass

IA NO: 2 OF 2017(SAMP 1377 OF 2017)

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 AS.No.10/2000 on the file of VI Additional District Judge, Tirupati, Dt: 06.02.2017 confirming the judgment and decree dt.03.12.1999 in OS.No.494/ 1992 on the file of I Additioal Junior Civil Judge, Tirupati till the disposal of the second appeal and grant an interim stay to the like effect, and pass

Counsel for the Appellant(S):

1.M DORAI RAJ

2.SAI AKASH N

Counsel for the Respondent(S):

1.O UDAYA KUMAR

The Court made the following:

THE HON'BLE SRI JUSTICE V.GOPALA KRISHNA RAO

SECOND APPEAL No.652 of 2017

JUDGMENT:

When the matter was listed on an earlier occasion, *i.e.* on 19.11.2025, learned counsel for the appellants submitted that appellant Nos.1 & 4 had passed away during the pendency of the appeal and he intended to bring the legal representatives of the deceased appellant Nos.1 & 4 on record and requested time. At his request, the appeal was adjourned. Again, on 31.01.2026, the learned counsel for the appellants seeks further time.

2. Today, when the matter is taken up for hearing, learned counsel for the appellants submitted that the parties have taken away the "No Objection Certificate" from him.

3. None appeared for appellant Nos.2 & 3 and no steps have been taken for the appellant Nos.1 & 4.

4. Therefore, the Second Appeal is **dismissed for default**. There shall be no order as to costs.

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

JUSTICE V.GOPALA KRISHNA RAO

Date.06.02.2026
CVD