



2025:TSHC:18911

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**WEDNESDAY, THE TWENTY EIGHTH DAY OF MAY
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

APPEAL SUIT NO. 1020 OF 2012

**Appeal Under Section 96 of CPC aggrieved by the Judgment and Decree
dt. 6-11-2012 passed in O.S.No. 123 of 2007 on the file of the Court of the
Senior Civil Judge at Siddipet, Medak District.**

Between:

1. Asad Moinuddin (died) per LRs Appellants 2 to 8
S/o Abdul Rasool Occ Retd. Employee R/o H.No.12-4-98/E/1,Naseernagar,
Siddipet town.
2. Mohd. Kareemuddin S/o. Late Asad Moinuddin
3. Sarwar Mohiuddin S/o. Late Asad Moinuddin
4. Ghouse Mohiuddin S/o. Late Asad Moinuddin
5. Maqdom Mohiuddin S/o. Late Asad Moinuddin, Presently R/o. UAE
6. Afzal Mohiuddin S/o. Late Asad Moinuddin, Presently R/o. UAE
7. Nazeer Mohiuddin S/o. Late Asad Moinuddin
8. Yaseen Begum S/o. Late Asad Moinuddin
2,3,4,7 and 8 are R/o. H.No. 12-4-98/E/1, Naseer Nagar Colony,Siddipet,
Medak District
(Appellants 2 to 8 are brought on record as LRs of deceased Appellant as per
C.O. dt. 17-07-2018 made in A.S.M.P.No. 3025 of 2017)

...APPELLANT/ Plaintiff

AND

1. Shakeel Hyder S/o Late Hyder Moinuddin occ Business, R/o H.NO.17-8-
415/1/A, Bagai Jahanuma, Yakutpura, Hyderabad.
2. Rafeeq Hyder, S/o Late Hyder Moinuddin, occ Govt Employee
3. Rayees Hyder, S/o Hyder Moinuddin, occ Business,



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4. Anees Hyder, S/o Late Hyder Moinuddin, occ Business.
5. Liyaq Hyder, S/o Late Hyder Moinuddin occ Business.
6. Nazeer Hussain Begum, W/o Late Hyder Moinuddin occ Household 2 to 6 are R/o H.NO.17-8-415/1 Bage Jahanuma, Yakutpura, Hyderabad.
7. Mrs.Ameena Begum, W/o Syed Abdul Rahman aged 48 years, Occ Housewife, R/o 6-3-163/1, Majid Lane, L.B.Nagar, Hyderabad-500070
8. Mrs. Kyatham Shailaja @ Gaddam Shailaja, W/o Amar, aged 32 years, Occ Housewife R/o 17-107, Srinagar Colony, Siddipet Town and District-502103
9. Mrs. Thimmiresetty Rama Devi, W/o Ramulu, aged 34 years, Occ Housewife, R/o 6-4-39/3, Ramnagar Street, Siddipet town and District-502103
10. Mrs. Khumbham Suguna, W/o Balreddy, aged 67 years, Occ Housewife, R/o H.No.2-30, Rampur village of Siddipet Mandal and District-502103
11. Chikotti Nagaraj S/o Anjaiah, aged 43 years, Occ Employee R/o H.No.8-2-68/6, Shivaji Nagar Colony, Siddipet Town and District-502103
12. Kotagiri Krishna Murthy, S/o Hemadri, aged 71 years, Occ Retd. employee R/o H.No.18-39/2, Shivajinagar Colony, Siddipet Town and district-502103
13. Smt. Srikonda Rajshri, W/o Rameshwar Rao, aged about 55 years, Occ Housewife, R/o 4-69/3, Bhjarathnagar Street, Siddipet Town and District-502103
14. Mrs.Kolla Aruna, W/o Devender Reddy, aged 54 years, Occ Housewife, R/o H.No.19-153, Shivajinagar Col, Siddipet Town and District-5
15. Mrs. Amarvathi, W/o Harikishan Rao, aged 54 years, Occ Housewife R/o H.No.6-3-1247/A-13, Indraprashtia Apartment, Rajbhavan Road, Somajiguda, Hyderabad-500072
16. Mrs. Rodda Bhagyalaxmi, W/o Ramchander Reddy, aged 41 years, Occ Teacher, R/o H.No.18-21B, Shivajinagar Street, Siddipet Town and District.502103
17. Mohd. Afsar, S/o Shamsuddin, aged 23 yuears, Occ Business R/c 2-3-41/7, Sajidpura St, Siddipet Town and District.502103
18. Mohd. Arif Ali, s/o Yakubali, aged 26 years, Occ Business R/o 2-3-42/1/A, Sajidpura, Siddipet Town and District.502103
19. Mrs. Nagaram Shanthi, W/o Srinivas, aged 26 years, Occ Housewife R/o 20-6, Vivekanandam Colony, Siddipet Town and District.502103
20. Guduri Prasanna, W/o Ajay Kumar, Aged about 42years, Occ Lecturer R/o H.No.4-1-77/2/504, B-Block, Surya Towers, Sneha Puri Colony, Nacharam, Uppal-Mallapur, Hyderabad-500076
21. Gajwel Anand Reddy, S/o Ramchander Reddy, aged 42 years, Occ Teacher, R/o 2-88, Bandram village of Kondapak Mandal and Siddipet District.
22. Edaboina Sidda Reddy, S/o Ram Reddy, aged 70 years, Occ agriculturist R/o H.No.1-38/A, Ramavaram village of Husnabad Mandal and Siddipet Dist.
23. Mrs. Shabana W/o Rafeeq, aged 35 years, Occ Housewife R/o H.No.10-2-1/1, Vemulavada vil age of Sirsilla District.505302



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24. Mrs. Gangapuram Tara, W/o Satyanarayan, aged 31 years, Occ Housewife R/o H.No.2-76, Bakrichepyala (V) of Siddipet Town and dist.502103
25. Mrs. Madugulla Padma, W/o Kankalah, aged 32 years, Occ Housewife, R/o H.No.2-99/1, Nancherpally (V), Siddipet Town and dist.502103
26. Nagamalla Santosh Kumar, S/o Kutalah, aged 31 years, Occ Business R/o 2-28, Shankernagar st., Siddipet town and dist.502103
27. Nasreem Fathima, W/o Md.Azeemuddin, Aged 41.years, occ Housewife R/o H.No.10-1-181/1, Mangammathota, Siddipet Town and District.502103
28. Rekupalli Linga reddy, S/o Narsareddy, aged 46 years, Occ Teacher R/o H.No.4-76, Ankireddypally village of Kondapak Mandal and Siddipet Dist 502372
29. Makkisa Harish Reddy, S/o Pashi Reddy, aged 33 years, Occ Private Employee R/o H.No.3-32, Medipally village of Chinnakodur(M) and Siddipet District,502103
30. Abdul Khuddus, S/o Vall Mohammed, aged 36 years, Occ Employee R/o 9-4-497, Sapthagiri Colony, Karimnagar Town and District.505001
31. Mrs. Kondapally Jyothilatha, W/o Lakshman, aged 37 years, Occ Housewife R/o H.No.17-19/1 Sivajinagar colony, Siddipet Town and Dist
32. Mrs. Panyala Jayaprada, W/o Eshwar Reddy, aged 51 years, R/o H.No.7-1-65/16/5, flat No.204, Saroja Apts, D.K. Road, Ameerpet, Hyderabad.16
33. Shivva Kashinath, S/o Gopal, aged 41 years, Occ Business, R/o 4-31/2, P.S. road, Narsapur(V) and (M) Medak district.
34. Atheli Srinivas, S/o Balanarsaiah aged about 39 years .Occ business R/o H.No.2-54, Dilalpur(V), Mandal Gajwel, Dist. Siddipet.502103
35. Mrs. Palle Arpita, W/o Kamalakkar Reddy, aged 41 years, Occ Housewife R/o H.No. 1-1-759/28, Ramnagar, Hyderabad-500020
36. Pandula Ramulu, S/o Rajaiah, aged about 41 years, Occ Business R/o H.No.7-343, Qutubnullapur, R.R. District-500055(DISMISSED AS PER Court Order dt. 9-10-2023 in I.A.No. 4 of 2023)
37. Konda Ravinder, S/o Papaiah, aged 53 years, Occ Business R/o 4-3-84, Patelpura Street, Siddipet Town and District 502103
38. Vutnoori Prabhaker, S/o Mallaiah, aged 48 years, Occ Business R/o H.No.10-1-266, Mangammathota street, Siddipet Town and District.502103
39. Ms. Peddi Nagarani, W/o Anjalah, aged 44 years, Occ Housewife, R/o H.No.23-77, Cheriala Village and Mandal, Siddipet District.502103
40. Bejlgao Kondalah, S/o Malleshasm, aged 47 years, Occ Business R/o H.No.1-45, Vechareni village, Cherial Mandal, Siddipet District-502103
41. Chakkarahi Yethiraju, S/o Venkat Raju, aged 60 years, Occ Retd. Employee R/o H.No.17-71, Raghavendra Apartment, 1 floor, Opp Dr. Bhasker Rao, Siddipet Town and District-502103
42. Chandhi Reddy Prabhaker Reddy, S/o Narsimha Reddy, aged 43 years, Occ Agriculture, R/o H.No.12-3-100/5/A, Khaderpura Street, Siddipet Town and District.502103



43. Merugu Shivalingam, S/o Rajalingm, aged 70 years, Occ agriculture R/o Rebarthi village of Maddur Mandal, Warangal district.506001
44. Mrs. Yella Jaimuna, W/o Ramreddy, aged 49 years, Occ Housewife, R/o H.No.11-1-59/4/2, Bharathnagar colony, Siddipet Town and District.
45. Mrs. Malkapuram Ratnamala, W/o Satish Reddy, aged 45 years, Occ Housewife R/o H.No.17-68/1, Srinagar colony, Siddipet Town and Dist.
46. Mrs. Ramacha Laxmi, W/o Balalah, aged 70 years, Occ Housewife, R/o H.No.11-4-3, Bharathnagar St, Siddipet Town and District 502103
47. Chakilam Malesham, S/o Bhoomalaha aged about 50 years Occ Business R/o H.No. 3-4-78, Patelpura Street, Siddipet Town and Mandal.502103
48. Naseem Unnissa, W/o Mo.d Younus, aged 47 years, Occ Housewife R/o H.No.11-3-94, C-Class-27, Mallepally, football Ground, Hyderabad-500028
49. Mrs. Siligam Laxmi, W/o Laxmirajyam, aged 55 years, Occ Housewife R/o H.no.11-2-67/4/2, Bharathnagar street Siddipet Town and district.
50. Mrs. Lakkareddy Uma, W/o Narender Reddy, aged 36 years, Occ Housewife R/o Gambhirao Pet village and Mandal, Karimnagar Dist.505001
51. P.L.N.Murthy, S/o P.V. Subbarao, aged 48 years, Occ Business R/o H.No.17-165,Srinagar colony, Siddipet Town and District.502103
52. Mohd. Abdul Samada, S/o Mohd. Abdul Rauf, aged 60 years, Occ Business R/o H.No.2-3-33/1/A, Sajidpura street, Siddipet Town and District-502103
53. Mrs. Aisula Vijayalaxmi, D/o Subba rao, aged 52 years, Occ Housewife, R/o Plot No.101, Sri akshmi Apartments,Chikkadpally, Hyderabad.
54. Mrs. Mallisetty Sujatha, W/o M.L.Narasimha rao, aged 53 years Occ Housewife R/o H No.11-2-47/10/1/1, Shivajinagar colony, Siddipet Town and District.
55. Mrs. Pappu Laxmi Annapurna, w/o Srinivas, aged 48 years, occ Houswife R/o H.No.1-7-433, Plot No.71, Revenue colony, Subedari, Hanmakonda
56. T. Srinivas, S/o Vithal Aged about 51 years, Occ Business R/o H.No. 27-49/1, Near HMT IDP Colony, Hyderabad-500037
57. Mrs. C.H. Vijayalaxmi, W/o Rajdharmareddy, aged 50 years, Occ Housewife R/o H.N.12-5-4/10, Vidyanaagar Col., Siddipet Town and District -502103
58. Mrs. Asmathunnisa Begum, W/o Mohd. Ali, aged 66 years, Occ housewife R/o H.No.9-4-56/A, Charwadan street, Siddipet Twon and District. 502103
59. Balla Narayana, S/o Narsaiah, aged 70 years, Occ agriculture R/o H.No 9-68, Narayanraopet village, Siddipet Mandal and district.502103
60. Mrs. Rachha Lalitha. W/o Srinivas, aged 50 years, Occ Housewife R/o H.No.17-127, Srinagar colony, Siddipet Town and District.502103
61. Gudupu Ashok Kumar, S/o Swamy, aged 60 years, Occ Business R/o H.No.18-4, Sivajinagar Col., Siddipet town and District-502103
62. Chukka Nagavender, S/o Pedda Bairiyah, aged 54 years, Occ agriculture, R/o Alwal village, Mircoodi Mandal, Dist. Siddipet-502103



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63. MettamKomralah, S/oEllaiah, aged 54 years, Occ Agriculture R/o Baswapur village, Mandal Koheda, Siddipet District 502103
64. Thurunahari Madhusudhan Swamy, S/o Venkatnarsalah, aged 66 years, Occ Retired teacher, R/o 12-2-112, Moinpura St., Siddipet District.502103
65. Tatipamula Shankaraiah, S/o Bhoomalah, Aged 55 year, Occ Business R/o Baswapur(V), Koheda(M), Siddipet Dist.502103
66. Tallapalil Balkishan Goud, S/o Anjalah Goud, aged 35 years, Occ Business R/o Baddipadga village, Mandal Nagnoor, Siddipet District.502103
67. Mrs. Gogulotu Sunitha, W/o Shankerlal, aged 45 years, Occ Housewife, R/o Giddivariguddam village, Singareni(M), Vayakarpalli, Khammam District-507001 (R-67 dismissed as per Court Order dated 11-10-2023 in I.A.No. 5 of 2023)
68. Mrs. Gogu Lalitha, W/o Rajireddy, aged 51 years, Occ realtor, R/o H.No.17-56 Srinagar colony, Siddipet Town and District.502103
69. Mayana Dhigambhar, S/o Vithal, aged 56 yuears, Occ Business R/o 11-1-75/4, Bharathnagar Street, Siddipet Town and District.502103
70. Mrs. S. Suguna, W/o Pratap Reddy, aged 55 years, Occ Housewife R/o H.No.17-62, Srinagar Colony, Siddipet Town and District.502103
71. Kajjam Sriramuluy, S/o Narayan, aged 55 years, Occ Business R/o H.No.5-3-106, Parupally Street, Siddipet Town and District-502103
72. Mrs. Safiya Sulthana, W/o Md. Muqtar, aged 50 years, R/o H.No 19-168/A Srinivas Col., Siddipet Town and District-502103
73. Mrs. Vemula Saraswathi, W/o Srirangam, aged 70 years, Occ Housewife R/o H.No.10-1-196, Mangammathota Siddipet Town and District-502103
74. Mrs.Gogu Rajitha, W/o Sathyam reddy, aged 45 years, Occ Housewife R/o 11-1-34, Bharathnagar Street, Siddipet Town and District.502103
75. Vanga Linga Reddy, S/o Chandrareddy, aged 55 years, Occ Business R/o 19-143/2, Srinivas Colony, Siddipet town and District.502103
76. Mrs. Subba Jayanthi, W/o Sudhaker, aged 37 years, Occ Housewife R/o H.No.27-16/22/34/1, Sitaramnagar, Naredmet,R.R.District
77. Mrs. Mekala Ramana, W/o Srinivas Reddy, aed 41 year, Occ Housewife, R/o Pochannapet(V), Bachanapet Mandal, Dist. Jangaon-506167
78. P.B. Raja Goud, S/o Vittal Goud, aged 70 years, Occ Business R/o Dubbaka village and Mandal, Dist. Siddipet. 502108
79. Mandoja Narendra, S/o Rajesham, aged 50 years, Occ Business R/o Goddam road, Kamareddy 503111



80. The Sub-Registrar, Urban, Siddipet.
81. The Municipal Commissioner, Siddipet.
82. The Urban Development Authority, Siddipet. ... Respondents/ Proposed Parties 80-82
- (Respondents Nos. 7 to 82 are impleaded as per Court Order dated 17-02-2022 vide I.A. Nos. 1 of 2018 in I.A. No. 1 of 2020 in A.S.No. 1020 of 2012)
83. Naheeda Parveen, W/o. Late Rafeeq Hyder, Aged about 51 years, R/o. H.No.17-8-145/1, Bagh-e-Jahauma, Yakuhpura, Hyderabad.
84. Kasheef Hyder, S/o. Late Rafeeq Hyder, Aged about 34 years, R/o. H.No.17-8-145/1, Bagh-e-Jahauma, Yakuhpura, Hyderabad.
85. Mohd. Wasif Hyder, S/o. Late Rafeeq Hyder, Aged about 33 years, R/o. H.No.17-8-145/1, Bagh-e-Jahauma, Yakuhpura, Hyderabad.
86. Mohd. Tauseef Hyder, S/o. Late Rafeeq Hyder, Aged about 31 years, R/o. H.No.17-8-145/1, Bagh-e-Jahauma, Yakuhpura, Hyderabad.
87. Roana Gulchin, D/o. Late Rafeeq Hyder, Aged about 29 years, R/o. H.No.17-8-145/1, Bagh-e-Jahauma, Yakuhpura, Hyderabad. (Respondent No.2 Rafeeq HYder Died per LRs – RR- 83 to 87)
88. Asmath Nazeer Kaur, W/o. Late Mohd. Rayees Hyder. Aged about 47 years, R/o. H.No.17-8-415/1/A, Bagh-e-Jahan Ara, yakuthpura, Hyderabad.
89. Mohammed Haseem Hyder, S/o. Late Mohd. Rayees Hyder. Aged about 25 years, R/o. H.No.17-8-415/1/A, Bagh-e-Jahan Ara, yakuthpura, Hyderabad.
90. Mohammed Kamran Hyder, S/o. Late Mohd. Rayees Hyder, Aged about 24 years, R/o. H.No.17-8-415/1/A, Bagh-e-Jahan Ara, yakuthpura, Hyderabad.
91. Ariba Rayees, D/o. Late Rafeeq Hyder, Aged about 21 years, R/o. H.No.17-8-415/1/A, Bagh-e-Jahan Ara, Yakuthpura, Hyderabad.
92. Nuzah Rayees, D/o. Late Rafeeq Hyder, Aged about 20 years, R/o. H.No.17-8-415/1/A, Bagh-e-Jahan Ara, Yakuthpura, Hyderabad. (Respondent No.3 Rayees Hyder – Died per LRs RR 88-92)
93. Moazamunnissa Eegum, W/o. Late Liyaq Hyder, Aged about 45 years, R/o 17-8-415/1/A, Bagh-e-Jahan Era, Yakutpur, Hyderabad.
94. Mohammed Sufyan Hyder, S/o. Late Liyaq Hyder, Aged about 17 years, is being represented by Natural Guardian and mother, the party Respondent No.93, R/o 17-8-415/1/A, Bagh-e-Jahan Era, Yakutpur, Hyderabad.
95. Mohammed Shiban Hyder, S/o. Late Liyaq Hyder, Aged about 14 years, is being represented by Natural Guardian and mother, the party Respondent No.93, R/o 17-8-415/1/A, Bagh-e-Jahan Era, Yakutpur, Hyderabad.



96. Tameema Naaz, D/o. Late Liyaq Hyder, Aged about 12 years, is being represented by Natural Guardian and mother, the party Respondent No.93, R/o 17-8-415/1/A, Bagh-e-Jahan Era, Yakutpur, Hyderabad.
97. Loweza Naaz, D/o. Late Liyaq Hyder, Aged about 11 years, is being represented by Natural Guardian and mother, the party Respondent No.93, R/o 17-8-415/1/A, Bagh-e-Jahan Era, Yakutpur, Hyderabad.
98. Rabda Naaz, D/o. Late Liyaq Hyder, Aged about 10 years, is being represented by Natural Guardian and mother, the party Respondent No.93, R/o 17-8-415/1/A, Bagh-e-Jahan Era, Yakutpur, Hyderabad.
99. Fariya Naaz, D/o. Liyaq Hyder, Aged about 9 years, is being represented by Natural Guardian and mother, the party Respondent No.93, R/o 17-8-415/1/A, Bagh-e-Jahan Era, Yakutpur, Hyderabad.
100. Wafiya Naaz, D/o. Late Liyaq Hyder, Aged about 7 years, is being represented by Natural Guardian and mother, the party Respondent No.93, R/o 17-8-415/1/A, Bagh-e-Jahan Era, Yakutpur, Hyderabad. (Respondent No. 5 Liyaq Hyder – Died per LRs RR – 93 to 100)
101. Zeenath Nazneen, D/o. Late Hyder Moinuddin, Aged about 58 years R/o. H.No. 17-8-415/1/A, Bagh e-Jahara, Yakuthpura, Hyderabad
102. Asmath Nazeen, D/o. Late Hyder Moinuddin, Aged about 55 years R/o. H.No. 17-8-415/1/A, Bagh e-Jahara, Yakuthpura, Hyderabad
103. Rafath Nazneen, D/o. Late Hyder Moinuddin, Aged about 49 years R/o. H.No. 17-8-415/1/A, Bagh e-Jahara, Yakuthpura, Hyderabad (Respondent No. 6 Nazeer Hussain Begum – Died per LRS –RR – 101- to 103)
- Respondent Nos. 83 to 103 are brought on record as LRs of deceased Respondent Nos. 2,3,5 &6 as per Court Order dated 09-08-2023 vide I.A. Nos. 1, 2 3 & 4 of 2022 in A.S. No. 1020 of 2012)**
104. Smt Vadlakonda Sujatha, W/o. Srinivas Reddy, Aged about 53 years, Occ Household, R/o. H.No. 18 66/3G, 2nd floor, Haripriya Nagar, Opp. RDO's Guest House, Siddipet.
105. Anantagiri Yadagiri, S/o. Chandraiah, aged about 46 years, Occ. Washerman, R/o. 5 3 20, Dhobhighat, Siddipet.
- (Respondent Nos. 104 & 105 are impleaded as per Court Order dated 9-10-2023 vide I.A.No. 1 of 2023 in A.S.No. 1020 of 2012)
- (RR 36, 104 and 105 are dismissed as per C.O. dt. 9-10-2023 vide I.A.No. 4 of 2023 in A.S.No. 1020 of 2012)
106. Sirikonda Srirama Rao S/o. Damodar Rao,, Occ Agriculture, R/o. H.No. 1-9-295/14, street No. 7, Vidyanagar, Hyderabad
107. Smt. Ramagiri Amuktha W/o. Kartheek Rao,, W/o. Kartheek Rao, Aged 35 Years, Occ Advocate, R/o. H.NO. 2-10-258, Jyothinagar, Karimnagar, District Karimnagar.



108. Sagi Sriya W/o. Venugopal Rao, Aged 58 Years, Occ House Wife R/o. H.No. 2-2-18/18/4/30, Indraprastha Colony Pedda Amberpet, Hyderabad, Presently residing at C/o. Anudeep Jakilati, 3685, Newark Blvd, Apt-A, Newark CA -94560, Rep. Spl. Power of Attorney Smt. Ramagiri Amuktha W/o. Kartheek Rao, Aged 35 Years, Occ Advocate, F/o. H.No. 2-10-258, Jyothinagar, Karimnagar, District Karimnagar.
109. Kotha Rajasri W/o. Srinivasulu, Aged 55 Years, Occ Housewife, R/o. 17-145/2, Srinagar Colony, Siddipet Town and District.
110. Gundam Vanya Reddy D/o. Venkatnarsimha Reddy, Aged 8 years, (Minor) Rep. by her guardian Smt. Vanga Chandrakala W/o. Linga Reddy, aged 55 Years, Occ Housewife, R/o. H.No. 19-168/2, Srinivasa nagr, Siddipet Town and District
111. Jella Thara W/o. Balaiah, Aged 44 Years, OCC House Wife, R/o. H.no. 8-2-103, Shivajinagar Colony, Siddipet Town and District.
- (Respondent Nos. 106 to 111 are impleaded as per Court Order dated 06-12-2023 vide I.A.No. 2 of 2023 in A.S.No. 1020 of 2012) ...**RESPONDENTS**
112. Merupula Naveena @ Kotagiri Kavitha W/o. Yadagiri age 36 years, Occ: Housewife, R/o. 3-4-, Chinnagundavelly, Mandal Siddipet Dist.
113. Soma Bikshapathi S/o. Chandraiah Age 43 Years Occ: Business, R/o. 8-4-126, Buruju Road Town and District , Siddipet -5012103
114. Yadagir Upendar S/o. Chandraiah, age 35 years Occ: Business, R/o. 3-19/2, Baddipadga, Mdl. Nangnoor, Siddipet District.
115. Sriram Manohar S/o. late Narayan , age 43 years, Occ: Business, R/o. H.No. 14-13, Rajeevnagar Mustabad Mandal, Rajanna Sircilla District
116. Achula Raju S/o. Kistaiah, Age 54 years, Occ: Business, F/o. 3-4-45/A/1, Sajeedpura, Town and District Siddipet.
117. Arige Ravi Kumar S/o. Veeraiah , age 39 years, Occ: Business, R/o. H.No. 3067 Bakrichayal, Mandal Siddipet, Dist. Siddipet
118. Dama Sunitha W/o. Shankaraiah , age 30 years, Occ: Business, R/o. H.No. 1-11 Khamampally Village , Kondapak Mandal of Siddipet Dist.



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(RR 11 to 298 are impleaded as per Court dated 4-7-2024 in I.A.No. 2 of 2024 in A.S.No. 1020 of 2012)

(RR 265, 266, 298, 59, 113, 132, 145, 149, 150, 159, 178, 180, 181, 192, 202, 203, 212, 214, 215, 235, 236, 238, 248, 273, 274, 275, 279, 296, 294, 13, 15, 44, 45, 48, 70, 75, 106, 1907, 108, 109, 110 & 111 are compromised vide I.A.Nos. 3, 2024, 4 of 2024, & 5 /2024 in A.S.No. 1020 of 2012 respectively

I.A. NO: 1 OF 2012(ASMP. NO: 3059 OF 2012)

Petition under Order 39 Rule 1 & 2 of CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to pass an order of injunction restraining the respondents from alienating the suit schedule property land in Survey No.53/AA admeasuring Ac. 17=11 gts situate at Ponnala Village of Siddipet mandal, pending disposal of the above appeal or pass.

Counsel for the Appellants: SRI. S. GANESH RAO

**Counsel for the Respondent Nos. 8,10,
30, 53, 60, 120, 125, 128, 135, 158, 164,
173, 193, 194, 231, 225, 240, 241,
242,245, 255, 263, 276, 284, 296 & 297: SRI DILEEP KUMAR BOMMENA**

Counsel for the Respondent Nos. 24 & 147 : SRI SINGAM BHAGAIAH

Counsel for the Respondent No. 67 : SRI JOGRAM TEJAVATH

**Counsel for the Respondent Nos. 59, 113,
132, 145, 149, 150, 178, 180, 181, 189, 192,
202, 203, 212, 214, 215, 235, 236, 238, 248,
273, 274, 275, 279, 286 & 294 :: SRI METTU SHANKAR**

**Counsel for the Respondent Nos. 5, 36, 58 & 104: SRI P. MADHUSUDHANA
KUMAR**

**Counsel for the Nos. 7, 16, 18, 20, 21, 22,
23, 27, 28, 34, 35, 38, 39, 42, 50, 51, 52,
55, 56, 69 & 77 ::: SRI P. RAJA SRIPATHI RAO**

**Counsel for the Respondent Nos. 13,
15, 44, 45, 48, 70, 72, 75, 106, 107,
108, 109, 110 & 111 : SRI V. ROHITH**

The Court delivered the following Judgment

**HON'BLE SRI JUSTICE NAGESH BHEEMAPAKA****A.S.No. 1020 OF 2012****J U D G M E N T:**

This is Plaintiff's Appeal filed under Section 96 of CPC, impugning the Judgment and Decree of dismissal dated 06.01.2012 passed by the learned Senior Civil Judge at Siddipet in O.S.No. 123 of 2007.

2. For brevity, the parties are referred to as they were arrayed in O.S.No. 123 of 2007.

3. Plaintiff and father of Defendants 1 to 5 are biological brothers and are sons of Late Abdul Rasool who died in 1952. After the death of Abdul Rasool, Revenue Authorities mutated the name of Plaintiff and father of Defendants 1 to 5 in Shikmi column and Pattadar column *vide* proceedings No.A1/5/13/53/D2/53, in the revenue records in respect of the agricultural lands in Survey No. 53/AA admeasuring Acs 17-11 Gts, of Ponnala Village, Siddipet Mandal, Medak District. The above mentioned property is the Suit Schedule Property.

4. Plaintiff requested Defendants to partition the suit schedule property by meets and bounds, personally and so also through mediators, however, Defendants were postponing the same on one pretext or other and finally, Plaintiff on 29.07.2007 had requested for partition which was refused by Defendants

and having no alternative, Plaintiff filed the above suit for partition of the suit schedule property.

5. In the written statement, defendants admit the relationship between themselves and Plaintiff, however, deny the claim of Plaintiff that Suit Schedule Property is Matraka Property. It is specific case of Defendants that suit schedule property is the self- acquired property of father of Defendants 1 to 5 and husband of Defendant No. 6. The suit schedule property never belonged to Late Abdul Rasool at any point of time even prior to or after 1952. Khasara Pahani reflects the name of Late Hyder Moinuddin as pattadar having purchased the same from private individuals.

Late Hyder Moinuddin died in 1977 and after his death, names of Defendants were mutated in revenue records in respect of the suit schedule property and nowhere Plaintiff's name was reflected in the revenue records.

Defendants also challenged the nature of employment of Plaintiff and had denied that Plaintiff was in employment with Electricity Department and are vocal in stating that Plaintiff was in employment with Panchayat Raj Department and worked as Civil Engineer. Earlier there was partition suit being O.S.No. 220 of 1991 on the file of the Junior Civil Judge and the same was decreed and final decree was also passed vide I.A.No.519 of 1999. In the said partition suit,



Plaintiff and Defendants were parties, however, suit schedule property in the present *lis*, was not the subject matter of the aforementioned suit.

It is the specific case of Defendants that suit schedule property was self-acquired property of Hyder Moinuddin and he sold the same to washermen and fishermen community and that said land was never in physical possession of the declarants in C.C.No.SPT/2645/75 on the file of the Land Reforms Tribunal as such, the said lands were deleted from the holding of the Hyder Moinuddin. State Government preferred Appeal as against the order of the Tribunal, however Appellate Tribunal had confirmed the order of the Land Reforms Tribunal. Thus during the period 1959-60 to 1974-75, the suit schedule property was not in possession of the declarant and so also with Plaintiff. After the disposal of the Land Reforms Proceedings, Defendants 1 to 5 have re-purchased the lands in Survey No.53 from the owners and possessors.

It is stated, Plaintiff had earlier filed O.S.No.209 of 1978 for partition claiming share in agricultural lands in Survey Nos. 175/E, 174/E, 54, and 55. In the said suit, Defendants are arrayed as Defendants. The said suit was decreed and final decree was also passed. The suit schedule property in the present suit is not subject matter of the first partition suit being



O.S.No.209 of 1978, hence, Plaintiff cannot file a second suit for partition.

6. The trial Court, after considering the pleadings, had framed the following issues:

1. Whether the plaintiff is entitled for partition of schedule property into two equal shares and allotment of one such share to him?
2. Whether plaint schedule property in Sy.No.53/AA of an extent of 17acres and 11 guntas is ancestral property of plaintiff and defendants?
3. Whether plaint schedule property is self acquired property of father of the defendants no.2 to 5 and husband of D6?
4. Whether the Judgment and Decree in O.S.No.209 / 1978, passed, bars the suit, in view of Order II Rule 2 of C.P.C.?
5. Whether suit is not maintainable in Law?
6. Whether suit is bad for non-joinder of proper and necessary parties?
7. Whether the proceedings in CC.No.SPT/2645/75 before Land Reforms Tribunal holding that objection purchaser of land and deletion of the same from the jholding of Hyder Moinuddin is binding on the plaintiff?
8. Whether the Judgment and Decree in O.S.No.221 of 1991 and subsequent proceedings are binding on the plaintiff?
9. Whether court fee paid is insufficient?
10. To what relief?

An additional issue is framed whether the suit is barred by Limitation?

7. In the above suit, Plaintiff examined two witnesses including himself as PW1 but subsequently the same was eschewed and Plaintiff's son Nazeer Mohiuddin was examined as PW2 and got marked Exs. A1 to A33. Defendant No.2 was examined as DW1 and Exs.B1 to B34 were marked. Defendant No. 1 was set *ex parte*. The trial court had dismissed the above suit on 06.11.2012, with no costs. Impugning the said dismissal of the suit, Plaintiff preferred this Appeal.



8. The trial Court after considering the pleaings and documentary evidence had held Issue Nos. 1 to 6 and 9, in favour of Defendants and Issue Nos. 7, 8, Additional Issue in favour of Plaintiff and dismissed the suit.

9. Learned counsel for appellant Sri S. Ganesh Rao submits that the Trial Court disregarded Ex. A23, Plaint in O.S.No.220 of 1991, wherein Defendants stated that suit schedule property is Matruka Property of Late Abdu Rasool. The trial Court had erroneously held that suit schedule property is the self-acquired property of Hyder Moinuddin basing on Record of Rights and revenue entries. The trial Court did not consider Ex.A-11 Registered Sale Deed pertaining to suit schedule property by Plaintiff's father on 31 Aban 1333 Fasli and admissions in ExA-23. It is argued that the trial Court committed error in holding that suit is not maintainable under Order 11, Rule 2 and 3 of CPC. The trial Court erroneously held that suit schedule property is self acquired property of Moinuddin, whereas Ex. A11 establishes that suit schedule property is acquired by the father of Plaintiff. The trial court had given undue importance to Khasara Pahani which do not confer any title to suit schedule property.

10. Heard Sri G. Anandam, learned counsel, Sri P. Raja Sreepathi Rao, learned Senior Counsel on behalf of Sri Dileep



Kumar Bommena, learned counsel and Sri Jogaram Tejawat, on behalf of respondents.

11. It was urged by Defendants that since Plaintiff had not stepped into the witness box, as evidence of the Plaintiff examined as PW1 was eschewed, an adverse inference has to be drawn as against him. PW2 who is the son of Plaintiff was nowhere in the picture all through the period of proceedings till filing of the evidence was allowed by the trial court to be examined on the ground that since the health condition of the Plaintiff is bad.

12. PW2, in his cross-examination, admitted that Plaintiff had earlier filed suit for partition and the same was decree and that said proceedings and details were not mentioned in the present suit; plaintiff sold away the lands fell to his share in Survey Nos. 174, 175, 54 and 55 of Ponnala Village; there is no mention of suit schedule property in the earlier suit; name of Hyder Moinuddin is shown as possessor and purchaser in the Khasara Pahani; Plaintiff did not file any document to prove that Plaintiff and Hyder Moinuddin are in joint possession of suit schedule property; in Ex.A20, LRAT Judgment, it is mentioned that Hyder Moinuddin had sold away suit schedule land to 17 persons and that their names are mentioned Column of Ex. A3 to A5. Defendant No.2 had filed O.S.No.221 of 1991 seeking partition of suit schedule lands and



that preliminary decree was passed on 17-03-1999 and the same was followed by passing of final decree on 29-02-2000; PW2 has verified the encumbrance certificate filed by Defendants 2 to 6, wherein 67 transactions are reflected as against the suit schedule property and that Plaintiff did not make them as parties to the suit; further, in Ex. B33 name of the patradar of lands in Survey No. 53 is shown as Ealreddy Hanumanth Reddy, (admittedly, he is not made a party defendant to the suit)

13. Defendant No. 2 was examined as DW and his version is that his father (Hyder Moinuddin) had purchased suit land in 1932 Fasli and in year 1953, his father sold suit land to Fishermen Community and there was compromise in C.S.No. 220 of 1991.

14. **Issue Nos.4 and 5:**

It is the case of defendants that suit schedule property is not Mathruka property of Abdul Rasool, as such, the same was not included in O.S.No.209 of 1978 filed by Plaintiff. *Per contra* Plaintiff contends that though once partition takes place in a joint family, the occasion to seek further partition would arise. The trial Court had negatived the said submission of Plaintiff that it is not the case of Plaintiff that Suit Schedule Property was kept aside during the earlier partition and though the burden of proof is on Plaintiff to prove the same, he did not

discharge the same so also did not explain the reason as to why he has not included suit schedule property in O.S.No. 209 of 1978, if the suit schedule property is Mathruka property of Plaintiff and Defendants. The trial Court considering the pleadings, evidence and law had concluded that present suit is hit by Order 2 Rule (3) of CPC, therefore, Plaintiff cannot seek partition of suit schedule property and held that suit is not maintainable under law. These two issues are answered as against Plaintiff.

15. **Issue No.8:**

It is noticed by the trial Court, the suit number is wrongly mentioned as O.S.No.221 of 1991 instead O.S.No.220 of 1991. This seems to be typographical error. Certified Copy of the preliminary decree passed in O.S.No.220 of 1991 is marked as Ex.B24 and Certified Copy of the final decree is marked as Ex.B25. It is the contention of Plaintiff that since he is not party to suit, the said decree is not binding on him. The trial Court had accepted the said contention of Plaintiff and answered Issue No.8 in favour of Plaintiff. This Court is not in acceptance of the said conclusion of the trial Court and this aspect is discussed infra.

16. **Issue No.7:-**

It is the categorical case of Defendants that suit schedule property is not Mathruka Property of Plaintiff and Defendants and Defendants relied upon Land Reforms



proceedings declaration dated 11.04.1976. Based on the declaration filed by the father of Defendants Land Reforms Tribunal had passed orders on 14.10.1976, Exs. B17 and B18, Certified Copy of the Judgment. As against the said judgment, government had preferred Appeal which was dismissed. Orders passed by the Land Reforms Tribunal are binding on Plaintiff. However, Plaintiff contends that he is not bound by the said orders as he is not having knowledge of the same.

17. The trial Court though had taken into consideration that public notice was issued under Rule 4(b) of the A. P. Land Reforms (Ceiling on Agricultural Holding) Rules, 1974 and had held that proceedings in C.C.No.SPT/2645/75 dated 14.10.1976 before the Land Reforms Tribunal and deletion of the name of father of Defendant from the holding, is not binding on plaintiff. This finding of trial Court is erroneous.

18. **Issues 1 to 3:**

The main contention of Plaintiff is that suit schedule property is ancestral property of Plaintiff and Defendants, therefore, he is entitled to seek partition of the same. On the other hand, Defendants deny the said claim contending that suit schedule property is self-acquired property of the father of Defendants 1 to 5 and husband of Defendant No.6. Plaintiff had relied upon Exs. A3 and A5, wherein names of Defendants 1 to 5 and that of Plaintiff are mentioned as patadars.



However, in Ex.A8 proceedings of MRO dated 22.03.2000, names of Defendants and three others are mentioned as pattadars, in this Exhibit name of Plaintiff is not mentioned. Ex. A32 is the crucial document, which is Khasara Pahani wherein the name of Hyder Moinuddin is mentioned as pattadar. This being fundamental document, is having a bearing on the adjudication of this Appeal.

19. A new angle had cropped up from Exs.A13 and 14, which show that one Balje Nagaiah alienated land of Ac. 03-20 Gts in Survey No.53/A in favour of wife of Plaintiff. Admittedly the total extent of land recorded in Survey No.53/A is Ac.20-31Gts., thereby the balance land that is available is an extent Acs.17-11gts, which is being claimed by Defendants. In this scenario, it was not explained by Plaintiff as to how his father had purchased lands in Sy. No.53/A, when Plaintiff admitted that his wife had purchased land from Balje Nagaiah. This aspect clears the mist created by the Plaintiff the suit land is not Mathruka Property of Plaintiff and Defendants.

20. The trial Court discussed the Exhibits in detail and had come to the conclusion that suit schedule property is not the ancestral property and in view of the conduct of plaintiff filing O.S.No.209 of 1978 and mentioning the same in the present suit, is not entitled to claim any right over the suit schedule property and had accordingly, decided Issues 1 to 3 against Plaintiff and in favour of Defendants.



21. **Issues No.6 and 9:**

These issues are technical in nature and since other issues are discussed elaborately, they are not being discussed by this court.

In the light of the aforesaid submissions, the following points would emerge for determination, namely

- 1) Whether the Appellant / plaintiff has established that the suit lands are joint family properties?
- 2) Whether the claim of the Respondents/Defendants that the suit is not maintainable for partial partition as the ancestral agricultural lands of the parties were already partitioned in O.S.No. 209 of 1978 wherein suit schedule property is not included in the said suit?
- 3) Whether the Appellant/ Plaintiff has established that the suit scheduled properties are liable for partition and he is entitled to half share therein?
- 4) Whether the impugned judgment and decree of the trial court is sustainable?
- 5) To what relief?

22. **Point Nos. 1 to 4:** Since all these points are inextricably inter-twined and inter-linked, they are being decided together.

23. Most important and crucial aspect in adjudicating this Appeal is the conduct of Plaintiff in filing suit for partition seeking partition of suit schedule property suppressing the fact of filing of O S No.209 of 1978 on the file of District Munsiff, Siddipet, wherein he sought for partition of agricultural lands in Sy. Nos. 174, 175, 54 and 55 of Ponnal Village. Conspicuously,



there is no pleading in the Plaint about earlier partition. The aforesaid partition suit was decreed and final decree was also obtained by Plaintiff and suit schedule property therein were partitioned by meets and bounds. Subsequently, Plaintiff had sold away lands fallen to his share, in the aforementioned suit and now cannot be permitted to approach the Court seeking another partition more so in respect of the property which was not included in earlier suit, without seeking leave of the Court in the first suit being O.S.No.209 of 1978. If the version of PW1 and his filing of O.S.No.209 of 1978 without including the present suit schedule property are viewed in the context of the legal principles, the irresistible conclusion that would emerge is that plaintiff filed O.S.No.209 of 1978 without making the suit schedule property herein, on his own volition and with full knowledge admitting and acknowledging that he has no right in suit schedule property. This is one dimension of the matter. The approach of Plaintiff in filing the second suit is by design. This court is taking serious view of the said conduct of Plaintiff. Plaintiff is guilty of deliberate suppression of facts which are material in adjudicating the *lis*. The suit of Plaintiff is hit by Order II, Rule 2 and 3 of CPC and trial Court had rightly held the suit is not maintainable and had rightly dismissed the suit.

24. Plaintiff had approached the Court seeking partition of suit schedule property and burden of proof is on Plaintiff to



prove his case that suit schedule property is Matraka property of Abdul Rasool. Plaintiff cannot rely upon the weakness of defense setup by Defendants. Once again, the role, conduct and approach of Plaintiff plays a crucial role. In view of suppression of the fact of earlier suit, Plaintiff cannot explain as to the reasons why suit schedule property was not included in the earlier suit schedule properties. Plaintiff by not including suit schedule property in the earlier suit by his conduct has waived off his right if any over the suit schedule property. The said conduct of Plaintiff is hit by Doctrine of estoppel. Thereby Plaintiff is barred from filing a second suit for partition. Furthermore, it is settled principle of law that there cannot be partial partition or multiple partitions between the same parties.

25. Now coming to the first ground which is principle ground of attack of Plaintiff in this Appeal is the contention in the Plaint filed by Defendant No. 2 against the other Defendants therein and third parties being O.S.No. 220 of 1991 on the file of the Junior Civil Judge at Siddipet. Plaint of O.S.No.220 of 1991 is marked as Ex A23, wherein, it is mentioned that Suit Schedule Property is Matraka property of Abdul Rasool. This suit is filed after the decree was passed in O.S.No. 209 of 1978, dated 30.12.1978, Ex.B21 and so after the final decree passed on 24.07.1979, ExB22. From the said sequence of events, it can be understood that Plaintiff having come to know of the Pleading

made in O.S.No.220 of 1991 taking advantage of the same, had filed the present suit for partition overlooking his own claim made in O.S.No.209 of 1978. This Court deprecates the conduct and approach of Plaintiff and neither is ready to observe the submission of Plaintiff that Defendant No.2 having pleaded that suit schedule property as Matruka property of Plaintiff and that of Defendants now cannot deny the same. This Court is not inclined to receive the said line of argument. Plaintiff in filing the present suit has not approached the Court with clean hands.

26. Ex.A23 cannot be termed as conclusive in terms of Sections 17, 58, 91 and 92 of the Indian Evidence Act. Plaintiff nor his son PW2 are parties to OS No.220 of 1991 as such, no inference can be made that Ex.A23 is conclusive proof and would not operate as estoppel against Defendants. Relying on the settled principles of law, this Court is of the view that plaintiff has failed to prove that suit lands are ancestral/Mathruka property of Plaintiff and Defendants and more so for the reason that suit schedule property was not included in the earlier suit O.S.No.209 of 1978.

21. In the case on hand, admittedly, the proceedings of Land Reform Tribunal plays very important role. The observations and findings of the Land Reforms Tribunal were confirmed by the Appellant Tribunal in the Appeal filed by the



Government. Admittedly, Plaintiff did not have any grievance as against the Order of Land Reforms Tribunal, thereby the said proceedings are binding on Plaintiff, for the reason that third party rights were created over suit schedule property and Plaintiff did not challenge the same. These circumstances and order of the Land Reform Tribunal proves that suit schedule property is not Matruka property of Abdul Rasool and thereby Plaintiff is not entitled for any relief.

28. As discussed supra, the observation and conclusion of trial Court that Judgment of the Land Reform Tribunal is not binding on Plaintiff is erroneous. Judgment of the Land Reforms Tribunal is passed under a statute after following the due procedure. Plaintiff, if is aggrieved by the same, should have taken steps as against the same. Neither there is any whisper in the Plaint, more so, when his wife claims to have purchased the land in Survey No.53/A. Reliance is placed by Defendants on the Declaration given by Hyder Moinuddin as well as the objection filed. This Court accepts the Declaration of the Hyder Moinuddin made before the Tribunal as conclusive. Accordingly, the finding of the judgment of the Trial Court on this aspect is negated.

29. A careful consideration of the submissions made on behalf of Plaintiff, what is deducible is that an admission made by a party in other suit cannot be regarded as conclusive and



can be shown to be wrong. If the factual matrix of the present case is analysed with reference to these principles, it is apparent that suit under Ex.A23 which is OS No. 220 of 1991 is not filed against plaintiff, at this stage, coming to the recitals under Ex. A23 and the testimony of PW1 in this suit, it is evident that plaintiff has not satisfactorily offered any explanation as to why he has not referred the suit lands in his earlier suit being O.S.No.209 of 1978, in the present suit. If really the suit lands were ancestral property, plaintiff would have certainly mentioned the suit lands in O.S.No.209 of 1978 and would have challenged the Order of the Land Reforms Tribunal contending that Suit schedule property belongs to his family holding.

30. Therefore, plaintiff is estopped from making a turn around with reference to filing of O.S.No.209 of 1978 which is binding on him. Plaintiff has not discharged his initial burden to establish that suit lands are Matruka.

31. Having regard to the aforesaid discussion and on a careful consideration of the factual matrix of the present case with reference to the principles of law, this Court has no hesitation to hold that plaintiff on whom the initial burden lies to prove that suit lands are Matruka property, has failed to discharge the same and therefore, it cannot be said that plaintiff is entitled for suit relief. The trial Court on appreciation of the facts and material on record, had rightly dismissed the suit. In



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view of the matter, this Court has no hesitation to hold that judgment and decree of trial Court is sustainable and is confirmed by dismissing the Appeal of Plaintiff. These points are answered accordingly.

32. **Point No.5:** In the result, this Appeal is dismissed by confirming the judgment and decree passed in OS No. 123 of 2007 dated 06.01.2012 by the learned Senior Civil Judge, Siddipet. No costs.

33. Consequently, miscellaneous Applications, if any shall stand closed.

SD. - MOHD.ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Senior Civil Judge, Siddipet, Medak District. (with records)
2. One CC to SRI. S. GANESH RAO, Advocate [OPUC]
3. One CC to SRI. DILEEP KUMAR BOMMENA Advocate [OPUC]
4. One CC to SRI. Singam Bhagaiah, Advocate [OPUC]
5. One CC to SRI. METTU SHANKAR, Advocate [OPUC]
6. One CC to SRI. V. ROHITH Advocate [OPUC]
7. One CC to Sri Jogam Tejavath, Advocate (OPUC)
8. One CC to Sri Raj Sripathi Rao, Advocate (OPUC)
9. One CC to Sri P. MADHUSUDHANA KUMAR, Advocate (OPUC)
10. Two CD Copies

KUL/PSL

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HIGH COURT

DATED:28/05/2025

+ Decree

Judgment

AS.No.1020 of 2012



DISMISSING THE APPEAL SUIT WITHOUT
COSTS

(12)

kpru
27/6/25



2025:TSHC:18911

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**WEDNESDAY, THE TWENTY EIGHTH DAY OF MAY
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

APPEAL SUIT NO. 1020 OF 2012

**Appeal Under Section 96 of CPC aggrieved by the Judgment and Decree
dt. 6-11-2012 passed in O.S.No. 123 of 2007 on the file of the Court of the
Senior Civil Judge at Siddipet, Medak District.**

Between:

1. Asad Moinuddin (died) per LRs Appellants 2 to 8
S/o Abdul Rasool Occ Retd. Employee R/o H.No.12-4-98/E/1, Naseernagar,
Siddipet town.
2. Mohd. Kareemuddin S/o. Late Asad Moinuddin
3. Sarwar Mohiuddin S/o. Late Asad Moinuddin
4. Ghouse Mohiuddin S/o. Late Asad Moinuddin
5. Maqdom Mohiuddin S/o. Late Asad Moinuddin, Presently R/o. UAE
6. Afzal Mohiuddin S/o. Late Asad Moinuddin, Presently R/o. UAE
7. Nazeer Mohiuddin S/o. Late Asad Moinuddin
8. Yaseen Begum S/o. Late Asad Moinuddin
2,3,4,7 and 8 are R/o. H.No. 12-4-98/E/1, Naseer Nagar Colony, Siddipet,
Medak District
(Appellants 2 to 8 are brought on record as LRs of deceased Appellant as per
C.O. dt. 17-07-2018 made in A.S.M.P.No. 3025 of 2017)

...APPELLANT/ Plaintiff

AND



1. Shakeel Hyder S/o Late Hyder Moinuddin occ Business, R/o H.NO.17-8-415/1/A, Bagei Jahanuma, Yakutpura, Hyderabad.
2. Rafeeq Hyder S/o Late Hyder Moinuddin, occ Govt Employee
3. Rayees Hyder, S/o Hyder Moinuddin, occ Business,
4. Anees Hyder S/o late Hyder Moinuddin, occ Business.
5. Liyaq Hyder, S/o late Hyder Moinuddin occ Business.
6. Nazeer Hussain Begum, W/o Late Hyder Moinuddin occ Household 2 to 6 are R/o H.NO. 17-8-415/1 Bage Jahanuma, Yakutpura, Hyderabad.
7. Mrs.Ameera Begum, W/o Syed Abdul Rahman aged 48 years Occ Housewife, R/o 3-3-163/1, Majid Lane, L.B.Nagar, Hyderabad 500070
8. Mrs. Kyatham Shailaja @ Gaddam Shailaja, W/o Amar,aged 32 years, Occ Housewife R/o 17-107, Srinagar Colony, Siddipet Town and District-502103
9. Mrs. Thimmiresetty Rama Devi, W/o Ramulu, aged 34 years, Occ Housewife, R/o 6-4-39/3, Ramnagar Street, Siddipet town and District-502103
10. Mrs. Khumbhair Suguna, W/o Balreddy, aged 67 years, Occ Housewife, R/o H.No.2-30, Rampur village of Siddipet Mandal and District-502103
11. Chikotti Nagaraj S/o Anjaiah, aged 43 years, Oc Employee R/o H.No.8-2-68/6, Shivaji Nagar Colony, Siddipet Town and District-502103
12. Kotagiri Krishna Murthy, S/o Hemadri, aged 71 years, Occ Retd. employee R/o H.No.18-39/2, Shivajinagar Colony, Siddipet Town and district-502103
13. Smt. Srikonda Rajshri, W/o Rameshwar Rao, aged about 55 years, Occ Housewife. R/o 1-4-69/3, Bhjarathnagar Street, Siddipet Town and District-502103
14. Mrs.Kolla Aruna, W/o Devender Reddy, aged 54 years, Occ Housewife, R/o H.No.19-153, Shivajinagar Col, Siddipet Town and District-5
15. Mrs. Amarvath, W/o Harikishan Rao, aged 54 years, Occ Housewife R/o H.No.6-3-247/A-18, Indraprashtia Apartment, Rajbhavan Road, Somajiguda, Hyderabad-500072
16. Mrs. Rodda Bhagyalaxmi, W/o Ramchander Reddy, aged 41 years, Occ Teacher, R/o H. No.18-21B, Shivajinagar Street, Siddipet Town and District.502103
17. Mohd. Afsar, S/o Shamsuddin, aged 23 yuears, Occ Business F/o 2-3-41/7, Sajidpura St, Siddipet Town and District.502103
18. Mohd. Arif Ali, s/o Yakubali, aged 26 years, Occ Business R/o 2 3-42/1/A, Sajidpura, Siddipet Town and District.502103
19. Mrs. Nagaram Sruthi, W/o Srinivas, aged 26 years, Occ Housewife R/o 20-6, Vivekanandam Colony, Siddipet Town and District.502103
20. Guduri Prasanna, W/o Ajay Kumar, Aged about 42years, Occ Lecturer R/o H.No.4-1-77/2/5C4, B-Block, Surya Towers, Sneha Puri Colony, Nacharam, Uppal-Mallapur, Hyderabad-500076



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21. Gajwel Anand Reddy, S/o Ramchander Reddy, aged 42 years, Occ Teacher, R/o 2-88, Bandram village of Kondapak Mandal and Siddipet District.
22. Edaboina Sidda Reddy, S/o Ram Reddy, aged 70 years, Occ agriculturist R/o H.No.1-38/A, Ramavaram village of Husnabad Mandal and Siddipet Dist.
23. Mrs. Shabana, W/o Rafeeq, aged 35 years, Occ Housewife R/o H.No.10-2-1/1, Vemulavada village of Sirsilla District.505302
24. Mrs. Gangapuram Tara, W/o Satyanarayan, aged 31 years, Occ Housewife R/o H.No.2-76, Bakrichepyala (V) of Siddipet Town and dist.502103
25. Mrs. Madugulla Padma, W/o Kankalah, aged 32 years, Occ Housewife, R/o H.No.2-99/1, Nancherpally (V), Siddipet Town and dist.502103
26. Nagamalla Santosh Kumar, S/o Kutalah, aged 31 years, Occ Business R/o 2-28, Shankernagar st., Siddipet town and dist.502103
27. Nasreem Fathima, W/o Md.Azeemuddin, Aged 41 years, occ Housewife R/o H.No.10-1-181/1, Mangammathota, Siddipet Town and District.502103
28. Reкупalli Linga reddy, S/o Narsareddy, aged 46 years, Occ Teacher R/o H.No.4-76, Ankireddypally village of Kondapak Mandal and Siddipet Dist 502372
29. Makkisa Harish Reddy, S/o Pashi Reddy, aged 33 years, Occ Private Employee R/o H.No.3-32, Medipally village of Chinnakodur(M) and Siddipet District,502103
30. Abdul Khuddus, S/o Vall Mohammed, aged 36 years, Occ Employee R/o 9-4-497, Sapthagiri Colony, Karimnagar Town and District.505001
31. Mrs. Kondapally Jyothilatha, W/o Lakshman, aged 37 years, Occ Housewife R/o H.No.17-19/1 Sivajinagar colony, Siddipet Town and Dist
32. Mrs. Panyala Jayaprada, W/o Eshwar Reddy, aged 51 years, R/o H.No.7-1-65/16/5, flat No.204, Saroja Apts, D.K. Road, Ameerpet, Hyderabad.16
33. Shivva Kashinath, S/o Gopal, aged 41 years, Occ Business, R/o 4-31/2, P.S. road, Narsapur(V) and (M) Medak district.
34. Atheli Srinivas, S/o Balanarsaiah aged about 39 years. Occ business R/o H.No.2-54, Dilalpur(V), Mandal Gajwel, Dist. Siddipet.502103
35. Mrs. Palle Arpita, W/o Kamalakar Reddy, aged 41 years, Occ Housewife R/o H.No. 1-1-759/28, Ramnagar, Hyderabad-500020
36. Pandula Ramulu, S/o Rajaiah, aged about 41 years, Occ Business R/o H.No.7-343, Qutubnullapur, R.R. District-500055(DISMISSED AS PER Court Order dt. 9-10-2023 in I.A.No. 4 of 2023)
37. Konda Ravinder, S/o Papaiah, aged 53 years, Occ Business R/o 4-3-84, Patelpura Street, Siddipet Town and District 502103
38. Vutnoori Prabhaker, S/o Mallaiah, aged 48 years, Occ Business R/o H.No.10-1-266, Mangammathota street, Siddipet Town and District.502103
39. Ms. Peddi Nagarani, W/o Anjalah, aged 44 years, Occ Housewife, R/o H.No.23-77, Cheriala Village and Mandal, Siddipet District.502103



40. Bejlgao Kondalah, S/o Malleshasm, aged 47 years, Occ Business R/o H.No.1-45 Vechareni village, Cherial Mandal, Siddipet District-502103
41. Chakkarah Yethiraju, S/o Venkat Raju, aged 60 years, Occ Retd. Employee R/o H.No. 7-71, Raghavendra Apartment, 1 floor, Opp Dr. Bhasker Rao, Siddipet Town and District-502103
42. Chandhi Reddy Prabhaker Reddy, S/o Narsimha Reddy, aged 43 years, Occ Agriculture, R/o H.No.12-3-100/5/A, Khaderpura Street, Siddipet Town and District.502103
43. Merugu Shivalingam, S/o Rajalingm, aged 70 years, Occ agriculture R/o Rebarthi village of Maddur Mandal, Warangal district.506001
44. Mrs. Yella Jamma, W/o Ramreddy, aged 49 years, Occ Housewife, R/o H.No.11-1-59/4/2 Bharathnagar colony, Siddipet Town and District.
45. Mrs. Malkapuram Ratnamala, W/o Satish Reddy, aged 45 years, Occ Housewife R/o H.No.17-68/1, Srinagar colony, Siddipet Town and Dist.
46. Mrs. Ramacha Laxmi, W/o Balalah, aged 70 years, Occ Housewife, R/o H.No.11-4-8, Bharathnagar St, Siddipet Town and District. 502103
47. Chakilam Mallesham, S/o Bhoomalah aged about 50 years Occ Business R/o H.No. 3-4-78, Patelpura Street, Siddipet Town and Mandal.502103
48. Naseem Unnissa, W/o Mo.d Younus, aged 47 years, Occ Housewife R/o H.No.11-3-94, C-Class-27, Mallepally, football Ground, Hyderabad-500028
49. Mrs. Siligam Laxmi, W/o Laxmirajyam, aged 55 years, Occ Housewife R/o H.no.11-2-67/4/2, Bharathnagar street Siddipet Town and district.
50. Mrs. Lakkireddy Uma, W/o Narendra Reddy, aged 36 years, Occ Housewife R/o Gambhirao Pet village and Mandal, Karimnagar Dist.505001
51. P.L.N.Murthy, S/o P.V. Subbarao, aged 48 years, Occ Business R/o H.No.17-165, Srinagar colony, Siddipet Town and District.502103
52. Mohd. Abdul Samada, S/o Mohd. Abdul Rauf, aged 60 years, Occ Business R/o H.No.2-3-33/1/A, Sajidpura street, Siddipet Town and District-502103
53. Mrs. Aisula Vijayalaxmi, D/o Subba rao, aged 52 years, Occ Housewife, R/o Plot No.101, Sriakshmi Apartments, Chikkadpally, Hyderabad.
54. Mrs. Mallisetty Sujatha, W/o M.L.Narasimha rao, aged 53 years Occ Housewife R/o H No.11-2-47/10/1/1, Shivajinagar colony, Siddipet Town and District.
55. Mrs. Pappu Laxmi Annapurna, w/o Srinivas, aged 48 years, occ Houswife R/o H.No.1-7-433, Plot No.71, Revenue colony, Subedari, Hanmakonda
56. T. Srinivas, S/o Vithal Aged about 51 years, Occ Business R/o H.No. 27-49/1, Near HMT, IDPL Colony, Hyderabad-500037
57. Mrs. C.H. Vijaya axmi, W/o Rajdharmareddy, aged 50 years, Occ Housewife R/o H.N.12-5-41/10, Vidyanagar Col., Siddipet Town and District-502103
58. Mrs. Asmathunnisa Begum, W/o Mohd. Ali, aged 66 years, Occ Housewife R/o H.No.9-4-56/A, Charwadan street, Siddiept Twon and District. 502103



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59. Balla Narayana, S/o Narsaiah, aged 70 years, Occ agriculture R/o H.No 9-68, Narayanraopet village, Siddipet Mandal and district.502103
60. Mrs. Rachha Lalitha, W/o Srinivas, aged 50 years, Occ Housewife R/o H.No.17-127, Srinagar colony, Siddipet Town and District.502103
61. Gudupu Ashok Kumar, S/o Swamy, aged 60 years, Occ Business R/o H.No.18-4, Sivajinagar Col., Siddipet town and District-502103
62. Chukka Nagavender, S/o Pedda Bairiyah, aged 54 years, Occ agriculture, R/o Alwal village, Mirdoddi Mandal, Dist. Siddipet-502103
63. MettamKomralah, S/oEllaiah, aged 54 years, Occ Agriculture R/o Baswapur village, Mandal Koheda, Siddipet District 502103
64. Thurunahari Madhusudhan Swamy, S/o Venkatnarsalah, aged 66 years, Occ Retired teacher, R/o 12-2-112, Moinpura St., Siddipet District.502103
65. Tatipamula Shankaraiah, S/o Bhoomalah, Aged 55 year, Occ Business R/o Baswapur(V), Koheda(M), Siddipet Dist.502103
66. Tallapalil Balkishan Goud, S/o Anjalah Goud, aged 35 years, Occ Business R/o Baddipadga village, Mandal Nagnoor, Siddipet District.502103
67. Mrs. Gogulotu Sunitha, W/o Shankerlal, aged 45 years, Occ Housewife, R/o Giddivariguddam village, Singareni(M), Vayakarpalli, Khammam District-507001 (R-67 dismissed as per Court Order dated 11-10-2023 in I.A.No. 5 of 2023)
68. Mrs. Gogu Lalitha, W/o Rajireddy, aged 51 years, Occ realtor, R/o H.No.17-56 Srinagar colony, Siddipet Town and District.502103
69. Mayana Dhigambhar, S/o Vithal, aged 56 yuears, Occ Business R/o 11-1-75/4, Bharathnagar Street, Siddipet Town and District.502103
70. Mrs. S. Suguna, W/o Pratap Reddy, aged 55 years, Occ Housewife R/o H.No.17-62, Srinagar Colony, Siddipet Town and District.502103
71. Kajjam Sriramuluy, S/o Narayan, aged 55 years, Occ Business R/o H.No.5-3-106, Parupally Street, Siddipet Town and District-502103
72. Mrs. Safiya Sulthana, W/o Md. Muqtar, aged 50 years, R/o H.No 19-168/A Srinivas Col., Siddipet Town and District-502103
73. Mrs. Vemula Saraswathi, W/o Srirangam, aged 70 years, Occ Housewife R/o H.No.10-1-196, Mangammathota Siddipet Town and District-502103
74. Mrs.Gogu Rajitha, W/o Sathyam reddy, aged 45 years, Occ Housewife R/o 11-1-34, Bharathnagar Street, Siddipet Town and District.502103
75. Vanga Linga Reddy, S/o Chandrareddy, aged 55 years, Occ Business R/o 19-143/2, Srinivas Colony, Siddipet town and District.502103
76. Mrs. Subba Jayanthi, W/o Sudhaker, aged 37 years, Occ Housewife R/o H.No.27-16/22/34/1, Sitaramnagar, Naredmet, R.R.District
77. Mrs. Mekala Ramana, W/o Srinivas Reddy, aed 41 year, Occ Housewife, R/o Pochannapet(V), Bachanapet Mandal, Dist. Jangaon-506167
78. P.B. Raja Goud, S/o Vittal Goud, aged 70 years, Occ Business R/o Dubbaka village and Mandal, Dist. Siddipet. 502108



79. Mandoja Narendra, S/o Rajesham, aged 50 years, Ccc Business R/o Goddam road Kamareddy 503111

80. The Sub-Registrar, Urban, Siddipet.

81. The Municipal Commissioner, Siddipet.

82. The Urban Development Authority, Siddipet. .. Respondents/ Proposed Parties 80-82

(Respondents Nos. 7 to 82 are impleaded as per Court Order dated 17-02-2022 vide A.Nos. 1 of 2018 in I.A. No. 1 of 2020 in A.S.No. 1020 of 2012

83. Naheeda Parveen, W/o. Late Rafeeq Hyder, Aged about 51 years, R/o. H.No.17-8-145/1, Bagh-e-Jahauma, Yakuhpura, Hyderabad.

84. Kasheef Hyder, S/o. Late Rafeeq Hyder, Aged about 34 years R/o. H.No.17-8-145/1, Bagh-e-Jahauma, Yakuhpura, Hyderabad.

85. Mohd. Wasif Hyder, S/o. Late Rafeeq Hyder, Aged about 33 years, R/o. H.No.17-8-145/1, Bagh-e-Jahauma, Yakuhpura, Hyderabad.

86. Mohd. Tauseef Hyder, S/o. Late Rafeeq Hyder, Aged about 31 years, R/o. H.No.17-8-145/1, Bagh-e-Jahauma, Yakuhpura, Hyderabad.

87. Roana Gulchin, D/o. Late Rafeeq Hyder, Aged about 29 years R/o. H.No.17-8-145/1, Bagh-e-Jahauma, Yakuhpura, Hyderabad. (Respondent No.2 Rafeeq HYder Died per LRs – RR- 83 to 87)

88. Asmath Nazeen Kausr, W/o. Late Mohd. Rayees Hyder, Aged about 47 years, R/o. H.No.17-8-415/1/A, Bagh-e-Jahan Ara, yakuthpura, Hyderabad.

89. Mohammed Haseem Hyder, S/o. Late Mohd. Rayees Hyder, Aged about 25 years, R/o. H.No.17-8-415/1/A, Bagh-e-Jahan Ara, yakuthpura Hyderabad.

90. Mohammed Kamran Hyder, S/o. Late Mohd. Rayees Hyder, Aged about 24 years, R/o. H.No.17-8-415/1/A, Bagh-e-Jahan Ara, yakuthpura Hyderabad.

91. Ariba Rayees, D/o. Late Rafeeq Hyder, Aged about 21 years. R/o. H.No.17-8-415/1/A, Bagh-e-Jahan Ara, Yakuthpura, Hyderabad.

92. Nuzah Rayees, D/o. Late Rafeeq Hyder, Aged about 20 years, R/o. H.No.17-8-415/1/A. Bagh-e-Jahan Ara, Yakuthpura, Hyderabad. (Respondent No.3 Rayees Hyder -- Died per LRs RR 88-92)

93. Moazamunnissa Begum, W/o. Late Liyaq Hyder, Aged about 45 years, R/o 17-8-415/1/A, Bagh-e-Jahan Era, Yakutpur, Hyderabad.

94. Mohammed Sur'yan Hyder, S/o. Late Liyaq Hyder, Aged about 17 years, is being represented by Natural Guardian and mother, the party Respondent No.93, R/o 17-8-415/1/A, Bagh-e-Jahan Era, Yakutpur, Hyderabad

95. Mohammed Shiban Hyder, S/o. Late Liyaq Hyder, Aged about 14 years, is being represented by Natural Guardian and mother, the party Respondent No.93, R/o 17-8-415/1/A, Bagh-e-Jahan Era, Yakutpur Hyderabad

96. Tameema Naaz, D/o. Late Liyaq Hyder, Aged about 12 years, is being represented by Natural Guardian and mother, the party Respondent No.93, R/o 17-8-415/1/A, Bagh-e-Jahan Era, Yakutpur, Hyderabad.



97. Loweza Naaz, D/o. Late Liyaq Hyder, Aged about 11 years, is being represented by Natural Guardian and mother, the party Respondent No.93, R/o 17-8-415/1/A, Bagh-e-Jahan Era, Yakutpur, Hyderabad.
98. Rabda Naaz, D/o. Late Liyaq Hyder, Aged about 10 years, is being represented by Natural Guardian and mother, the party Respondent No.93, R/o 17-8-415/1/A, Bagh-e-Jahan Era, Yakutpur, Hyderabad.
99. Fariya Naaz, D/o. Liyaq Hyder, Aged about 9 years, is being represented by Natural Guardian and mother, the party Respondent No.93, R/o 17-8-415/1/A, Bagh-e-Jahan Era, Yakutpur, Hyderabad.
100. Wafiya Naaz, D/o. Late Liyaq Hyder, Aged about 7 years, is being represented by Natural Guardian and mother, the party Respondent No.93, R/o 17-8-415/1/A, Bagh-e-Jahan Era, Yakutpur, Hyderabad. (Respondent No. 5 Liyaq Hyder – Died per LRs RR – 93 to 100)
101. Zeenath Nazneen, D/o. Late Hyder Moinuddin, Aged about 58 years R/o. H.No. 17-8-415/1/A, Bagh e-Jahara, Yakuthpura, Hyderabad
102. Asmath Nazeen, D/o. Late Hyder Moinuddin, Aged about 55 years R/o. H.No. 17-8-415/1/A, Bagh e-Jahara, Yakuthpura, Hyderabad
103. Rafath Nazneen, D/o. Late Hyder Moinuddin, Aged about 49 years R/o. H.No. 17-8-415/1/A, Bagh e-Jahara, Yakuthpura, Hyderabad (Respondent No. 6 Nazeer Hussain Begum – Died per LRS –RR – 101- to 103)
- Respondent Nos. 83 to 103 are brought on record as LRs of deceased Respondent Nos. 2,3,5 &6 as per Court Order dated 09-08-2023 vide I.A. Nos. 1, 2 3 & 4 of 2022 in A.S. No. 1020 of 2012)**
104. Smt Vadlakonda Sujatha, W/o. Srinivas Reddy, Aged about 53 years, Occ Household, R/o. H.No. 18 66/3G, 2nd floor, Haripriya Nagar, Opp. RDO's Guest House, Siddipet.
105. Anantagiri Yadagiri, S/o. Chandraiah, aged about 46 years, Occ. Washerman, R/o. 5 3 20, Dhobhighat, Siddipet.
- (Respondent Nos. 104 & 105 are impleaded as per Court Order dated 9-10-2023 vide I.A.No. 1 of 2023 in A.S.No. 1020 of 2012)
- (RR 36, 104 and 105 are dismissed as per C.O. dt. 9-10-2023 vide I.A.No. 4 of 2023 in A.S.No. 1020 of 2012)
106. Sirikonda Srirama Rao S/o. Damodar Rao,, Occ Agriculture, R/o. H.No. 1-9-295/14, street No. 7, Vidyanagar, Hyderabad
107. Smt. Ramagiri Amuktha W/o. Kartheek Rao,, W/o. Kartheek Rao, Aged 35 Years, Occ Advocate, R/o. H.NO. 2-10-258, Jyothinagar, Karimnagar, District Karimnagar.
108. Sagi Srijaya W/o. Venugopal Rao, Aged 58 Years, Occ House Wife R/o. H.No. 2-2-18/18/4/30, Indraprastha Colony Pedda Amberpet, Hyderabad, Presently residing at C/o. Anudeep Jakilati, 36857, Newark Blvd, Apt-A, Newark CA -94560, Rep. Spl. Power of Attorney Smt. Ramagiri Amuktha W/o. Kartheek Rao, Aged 35 Years, Occ Advocate, R/o. H.No. 2-10-258, Jyothinagar, Karimnagar, District Karimnagar.



109. Kotha Rajasri W/o. Srinivasulu,, Aged 55 Years, Occ Housewife, R/o. 17-145/2, Srinagar Colony, Siddipet Town and District.
110. Gundam Vanya Reddy D/o. Venkatnarsimha Reddy,, Aged 8 years, (Minor) Rep. by her guardian Smt. Vanga Chandrakala W/o. Linga Reddy, aged 55 Years, Occ Housewife, R/o. H.No. 19-168/2, Srinivasanagr, Siddipet Town and District.
111. Jella Thara W/o. Balaiah, Aged 44 Years,, OCC House Wife, R/o. H.no. 8-2-103 Shrivajinagar Colony, Siddipet Town and District.

(Respondent Nos. 106 to 111 are impleaded as per Court Order dated 06-12-2023 vide I.A.No. 2 of 2023 in A.S.No. 1020 of 2012) ...**RESPONDENTS**

112. Merupula Naveena @ Kotagiri Kavitha W/o. Yadagiri age 36 years, Occ: Housewife R/o. 3-4-, Chinnagundavelly, Mandal Siddipet Dist.
113. Soma Bikshapathi S/o. Chandraiah Age 43 Years, Occ: Business, R/o. 8-4-126, Buruju Road Town and District , Siddipet -5012103
114. Yadagiri Upendar S/o. Chandraiah, age 35 years Occ: Business, R/o. 3-19/2, Baddipadga, Mdl. Nangnoor, Siddipet District.
115. Sriram Manohar S/o. late Narayan , age 43 years, Occ: Business, R/o. H.No. 14-13, Rajeevnagar Mustabad Mandal, Rajanna Sircilla District
116. Achula Rajulu S/o. Kistaiah, Age 54 years, Occ: Business R/o. 3-4-45/A/1, Sajeedpura, Town and District Siddipet.
117. Arige Ravi Kumar S/o. Veeraiah , age 39 years, Occ: Business, R/o. H.No. 3067 Bakrichepyal, Mandal Siddipet, Dist. Siddipet
118. Dama Sunitha W/o. Shankaraiah , age 30 years, Occ: Business, R/o. H.No. 1-11 Khamampally Village , Kondapak Mandal of Siddipet Dist.

(RR 11 to 298 are impleaded as per Court dated 4-7-2024 in I.A.No. 2 of 2024 in A.S.No. 1020 of 2012)

(RR 265, 266, 298, 59, 113, 132, 145, 149, 150, 159, 178, 180, 181, 192, 202, 203, 212, 214, 215, 235, 236, 238, 248, 273, 274, 275, 279, 296, 294, 13, 15, 44, 45, 48, 70, 75, 106, 1907, 103, 109, 110 & 111 are compromised vide I.A.Nos. 3, 2024, 4 of 2024, & 5 /2024 in A.S.No. 1020 of 2012 respectively



The appeal coming on for hearing, upon perusing the Memorandum of 2025:TSHC:18911

grounds filed in the Appeal, the Judgment and Decree of the Lower Court and the record in the case and upon hearing the arguments of Sri S. Ganesh Rao, Advocate for the Appellants and SRI DILEEP KUMAR BOMMENA, Advocate for the Respondent Nos. 8,10, 30, 53, 60, 120, 125, 128, 135, 158, 164, 173, 193, 194, 231, 225, 240, 241, 242,245, 255, 263, 276, 284, 296 & 297 and SRI SINGAM BHAGAIAH , Advocate for Respondent Nos. 24, & 147

And SRI JOGRAM TEJAVATH, Advocate for the Respondent No. 67 and Sri METTU SHANKAR, Advocate for the Respondent Nos. 59, 113, 132, 145, 149, 150, 178, 180, 181, 189, 192,202, 203, 212, 214, 215, 235, 236, 238, 248, 273, 274, 275, 279, 286 & 294 and SRI P. MADHUSUDHANA KUMAR, Advocate for Respondent Nos. 5, 36, 58 & 104 and Sri P. RAJA SRIPATHI RAO, Advocate for Respondent Nos. 7, 16, 18, 20, 21, 22, 23, 27, 28, 34, 35, 38, 39, 42, 50, 51, 52, 55, 56, 69 & 77 and Sri V. ROHITH , Advocate for the Respondent Nos. 13, 15, 44, 45, 48, 70, 72, 75, 106, 107,108, 109, 110 & 111.

This Court doth order and decree as follows:

1. That the appeal be and hereby is dismissed.
2. That the Judgment and decree passed in O.S.No. 123 of 2007 dated 06-01-2012 by the learned Senior Civil Judge, Siddipet be and hereby is confirmed.
3. That there shall be no order as to costs in this appeal.

SD/- MOHD.ISMAIL
DEPUTY REGISTRAR

SECTION OFFICER

To

1. The Senior Civil Judge, Siddipet, Siddipet Dist.
2. Two C.D.Copies

Kul/PSL

Kul/PSL



2025:TSHC:18911

HIGH COURT

DATED:28/05/2025

+ Decree

AS.No.1020 of 2012

DISMISSING THE APPEAL SUIT WITHOUT
COSTS

(4)

kpru
27/6/25