



2025:TSHC:18911

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

WEDNESDAY, THE ELEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SMT JUSTICE P.SREE SUDHA

IA No. 5 OF 2023

IN

FIRST APPEAL NO: 1020 OF 2012

Between

1.Asad Moinuddin(died)per L.R

2.Mohd. Kareemuddin S/o late Asad

Mohiuddin, aged 42 years, Occ:Employee

3. Sarwar Mohiuddin S/o Asad Momuddin,

Aged 39 years, Occ:Business

4.Ghouse Mohiuddin S/o late Asad Moinuddin

Aged 36 years, Occ:Business

5. Maqdoom Mohiuddin S/o Asad Moinuddin,

Aged 34 years, Occ: Employee in U.A.E.

Presently R/o U.A.E.

6. Afzal Mohiuddin S/o Asad Moinuddin,

Aged 32 years, Occ: Employee in U.A.E.

Presently R/o U.A.E.

7.Nazeer Mohiuddin S/o Asad Moinuddin

Aged 27 years, Occ:Business

8. Yaseen Begum W/o Khaja Mouddin,

Aged 38 years, Occ:Household

No.2,3,4,7 and 8 are R/o H.No.12-4-98/E/1,

Nazeer Nagar Colony, Siddipet, Medak Dist.

Petitioners 2 to 6 and 8 are represented

By their GPA the Petitioner No.7

-- Appellants

-- Respondnets

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AND

1. Shakeel Hyder S/o late Hyder Moinuddin, aged about 56 years, Occ:Business
2. Rafeeq HyderS/o late HyderMomuddin, aged 53 years, Occ:Govt. employee (DIED leaving I.Rs. as proposed Respondents 83 to 87
3. Rayees Hyder A/o HyderMoinuddin,aged about 48 years, Occ:Business(died leaving behind the proposed Respondents 88 to 92.
4. Anees Hyderabad S/o late HyderMoinuddin, aged 39 years, Occ:Business
5. Liaq Hyder S/o late HyderMoinuddin, aged 39 years,Occ:Business(died leaving behind the proposed Respondents 93 to 97)
6. Nazeer Hussain BegumW/o late Hyder Moinuddin,aged 73 years, Occ:Household (died leaving behind proposed Respondents 101, 102 and 103) 1 to 6 are R/o H.No.17-8-415/1/A, Bagai Jahanuma,Yakutpura, Hyderabad.-
7. Mrs.Ameena 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:HousewifeR/o 17-107, Srinagar Colony, Siddipet Town & District-502103
9. Mrs. Thimmiresetty Rama DeviW/o Ramulu, aged 34 years, Occ: Housewife, R/o 6-4-39/3, Ramnagar Street,Siddipet town & 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 & 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 & 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 & district-502103
- 13 Smt. Srikonda Rajshri W/o Rameshwar Rao, aged about 55 years, Occ: Housewife .R/o 11-4-69/3, Bhjarathnagar Street, Siddipet Town & 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 & District-5
15. Mrs. Amarvathi W/o Harikishan Rao, aged 54 years, Occ: Housewife R/o H.No.6-3-1247/A-1B, Indraprashtra 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 & District.502103
17. Mohd. Afsar S/o Shamsuddin, aged 23 yuears, Occ: Business R/o 2-3-41/7, Sajidpura St, Siddipet Town & District.502103
18. Mohd. Arif Ali S/o YakubAli, aged 26 years, Occ: Business R/o 2-3-42/1/A, Sajidpura, Siddipet Town & District.502103
19. Mrs. Nagaram Shruthi W/o Srinivas, aged 26 years, Occ: Housewife R/o 20-6, Vivekanandam Colony, Siddipet Town & District.502103



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20. Guduri Prasanna W/o Ajay Kumar, Aged about 42 years, 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 & 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 & 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 &
dist. 502103
25. Mrs. Madugulla Padma W/o Kankaiah, aged 32 years,
Occ: Housewife, R/o H.No.2-99/1, Nancherpally (V), Siddipet Town &
dist. 502103
26. Nagamalla Santosh Kumar S/o Kutaiah, aged 31 years, Occ: Business R/o
2-28, Shankernagar st., Siddipet town & 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 &
District. 502103
28. Reakupalli Linga Reddy S/o Narsareddy, aged 46 years, Occ: Teacher R/o
H.No.4-76, Ankireddypally village of Kondapak Mandal & Siddipet Dist
502372



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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)& Siddipet District,502103

30. Abdul Khuddus S/o Vali Mohammed, aged 36 years, Occ: Employee
R/o 9-4-497, Sapthagiri Colony, Karimnagar Town & 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 & 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. Shiva Kashinath S/o Gopal, aged 41 years, Occ: Business,
R/o 4-31/2, P.S. road, Narsapur(V) & (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

37. Konda Ravinder S/o Papaiah, aged 53 years, Occ: Business
R/o 4-3-84, Patelapura Street, Siddipet Town & District.502103

38. Vutnoori Prabhaker S/o Mallaiah, aged 48 years, Occ: Business
R/o H.No.10-1-266, Mangammathota street, Siddipet Town &
District.502103

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39. Ms. Peddi Nagarani W/o Anjaiah, aged 44 years, Occ:Housewife,
R/o H.No.23-77, Cheriala Village & Mandal, Siddipet District.502103
40. Bejigao Kondaiah S/o Mallesham, 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, 1st floor, Opp: Dr.
Bhasker Rao, Siddipet Town & 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 & District.502103
43. Merugu Shivalingam S/o Rajalingam, aged 70 years, Occ: agriculture
R/o Rebarthi village of Maddur Mandal, Warangal district.506001
44. Mrs. Yella Jamuna W/o Ramreddy, aged 49 years, Occ:Housewife,
R/o H.No.11-1-59/4/2, Bharathnagar colony, Siddipet Town & 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 & Dist.
46. Mrs. Ramacha Laxmi W/o Balaiah, aged 70 years, Occ:Housewife, R/o
H.No.11-4-8, Bharathnagar St, Siddipet Town & District.502103
47. Chakilam Mallesham S/o Bhoomaiah aged about 50 years Occ:
Business R/o H.No. 3-4-78, Patel pura Street, Siddipet Town &
Mandal.502103
48. Naseem Unnissa W/o Mo.d Yunus, 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



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R/o H.no.11-2-67/4/2, Bharathnagar street Siddipet Town & district.

50. Mrs. Lakkireddy 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 & 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 &
District-502103

53. Mrs. Aisula Vijayalaxmi, D/o Subba rao, aged 52 years,
Occ: Housewife, R/o Plot No. 101, Srilakshmi 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 & District.

55. Mrs. Pappu Laxmi Annapurna, w/o Srinivas, aged 48 years,
occ: Housewife 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. Vijayalaxmi W/o Rajdharmareddy, aged 50 years,
Occ: Housewife R/o H.N. 12-5-41/10, Vidyanagar Col., Siddipet Town &
District-502103

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58. Mrs. Asmathunnisa Begum W/o Mohd. Ali, aged 66 years, Occ: Housewife R/o H.No.9-4-56/A, Charwadan street, Siddipet Town & District. 502103
59. Balla Narayana S/o Narsaiah, aged 70 years, Occ: agriculture R/o H.No 9-68, Narayanraopet village, Siddipet Mandal & district. 502103
60. Mrs. Rachha Lalitha W/o Srinivas, aged 50 years, Occ: Housewife R/o H.No.17-127, Srinagar colony, Siddipet Town & District. 502103
61. Gudupu Ashok Kumar S/o Swamy, aged 60 years, Occ: Business R/o H.No.18-4, Sivajinagar Col., Siddipet town & District-502103
62. Chukka Nagavender S/o Pedda Bairiyah, aged 54 years, Occ: agriculture, R/o Alwal village, Mirdoddi Mandal, Dist. Siddipet-502103
63. Mettam Komraiah S/o Ellaiah, aged 54 years, Occ: Agriculture R/o Baswapur village, Mandal Koheda, Siddipet District. 502103
64. Thurunahari Madhusudhan Swamy S/o Venkatnarsaiah, aged 66 years, Occ: Retired teacher, R/o 12-2-112, Moinpura St., Siddipet District. 502103
65. Tatipamula Shankaraiah S/o Bhoomaiah, Aged 55 year, Occ: Business R/o Baswapur(V), Koheda(M), Siddipet Dist. 502103
66. Tallapalli Balkishan Goud S/o Anjaiah 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



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68. Mrs. Gogu Lalitha W/o Rajireddy, aged 51 years, Occ: realtor, R/o H.No.17-56, Srinagar colony, Siddipet Town & District.502103
69. Mayana Dhigambhar S/o Vithal, aged 56 years, Occ: Business R/o 11-1-75/4, Bharathnagar Street, Siddipet Town & 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 & District.502103
71. Kajjam Sriramulu S/o Narayan, aged 55 years, Occ: Business R/o H.No.5-3-106, Parupally Street, Siddipet Town & District-502103
72. Mrs. Safiya Sulthana W/o Md. Muqtar, aged 50 years, R/o H.No 19-168/A Srinivas Col., Siddipet Town & District-502103
73. Mrs. Vemula Saraswathi W/o Srirangam, aged 70 years, Occ: Housewife R/o H.No.10-1-196, Mangammathota, Siddipet Town & District-502103
74. Mrs. Gogu Rajitha W/o Sathyam Reddy, aged 45 years, Occ: Housewife R/o 11-1-34, Bharathnagar Street, Siddipet Town & District.502103
75. Vanga Linga Reddy S/o Chandrareddy, aged 55 years, Occ: Business R/o 19-143/2, Srinivas Colony, Siddipet town & 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, aged 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 Narender S/o Rajesham, aged 50 years, Occ: Business R/o 2025 TSHC:18911
Goddam road, Kamareddy 503111

80. The Sub-Registrar, Urban, siddipet-502103

81. The Municipal Commissioner, Siddipet-502103

82. The Urban Development authority, Siddipet-502103

(83) Naheeda Parveen W/o late Rafeeq Hyder, aged about 51 years

(84) Kasheef Hyder S/o late Rafeeq Hyderabad, aged about 34 years

(85) Mohd. Wasif Hyder S/o late Rafeeq Hyder, aged about 33 years,

(86) Mohd. Tauseef Hyder S/o late Rafeeq Hyder, aged about 31 years

(87) Roana Gulchin D/o late Rafeeq Hyder, aged about 29 years

83 to 87 are R/o H.No.17-8-415/1, Bagh-e-Jahauma,
Yakuthpura, Hyderabad.

(88) Asmath Nazeen Kausr W/o late Mohd. Rayees Hyder, aged about 47 years

(89) Mohammed Haseen Hyder S/o late Mohd. Rayees Hyder, aged about 25 years

(90) Mohammed Kamran Hyder S/o late Mohd. Rayees Hyder, aged about 24 years,

(91) Ariba Rayees D/o late Rafeeq Hyder, aged about 21 years

(92) Nuzah Rayees, D/o late Rafeeq Hyder, aged about 20 years

88 to 92 R/o H.No.17-8-415/1/A, Bagh-e-Jahan Ara, Yakuthpura,
Hyderabad.

(93) Moazamunnissa Begum W/o late Liyaq Hyder, aged about 45 years

(94) Mohammed Sufyan Hyder S/o late Liyaq Hyder, aged about 17 years

(95) Mohammed Shiban Hyder, S/o late Liyaq Hyder, aged about 4 years,

rep. by natural mother & guardian Moazamunnissa Begum

(96) Tameema Naaz D/o late Liyaq Hyder, aged about 12 years,

(97) Loweza Naaz, D/o late Liyaq Hyder, aged about 11 years

(98) Rabda Naaz D/o late Liyaq Hyder, aged about 10 years

(99) Fariya Naaz D/o Liyaq Hyder, aged about 9 years

(100) Wafiya Naaz D/o late Liyaq Hyder, aged about 7 years

93 TO 100 herein are being represented by Natural Guardian and mother, the party No.1.

93 TO 100 R/o.17-8-415/1/A, Bagh-e-Jahan Era, Yakutpur, Hyderabad.



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- 101 Zeenath Nazneen D/o late Hyder Moinuddin, aged about 58 years.
102 Asmath Nazeen D/o late Hyder Moinuddin, aged about 55 years,
103 Rafath Nazneen D/o late Hyder Moinuddin, aged about 49 years
101 to 103 are R/o Hyderabad

104. Vadlakonda Sujatha W/o Srinivas Reddy,
Aged about 53 years, Occ: Household
R/o H.No.18-66/36, 2nd floor,
Haripriya Nagar, Opp: RDO's Guest House,
Siddipet.

105. Anantagiri Yadgiri
S/o Chandraiah, aged about 46 years,
Occ: Wahserman R/o 5-3-20,
Dhobhighat, Siddipet

-- Respondents



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A.S. NO: 1020 OF 2012

Appeal Under Section 96 of C.P.C against the Judgment and Decree Dated 06.11.2012, made in O.S. No. 123 of 2007 on the file of the Court of the Senior Civil Judge, at Siddipet.

I.A.No.5 OF 2023:

Petition under Order XXIII Rule-3 CPCCPC 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 to dismiss the Appeal to the extent of Respondent No.67 as settled outside the court in the interest of justice.

Counsel for Appellants :SRI. S. GANESH RAO

Counsel for Respondent No. 67 : SRI. JOGRAM TEJAVATH

The Court made the following: ORDER

On 09-10-2023, I.A.No.5 of 2023 was not available in the bundle. Today, it is put up in the bundle.

This application is filed before this Court dismiss the appeal, to extent of respondent No.67 as the matter has been settled out of Court.

In the circumstances, the application is ordered and the appeal so far as respondent No.67 is dismissed as the matter is settled out of Court.

**Sd/-B.S.CHIRANJEEVI
JOINT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Senior Civil Judge, At Siddipet, Medak District.
2. The Section Officer, Appeal filing Section, High Court for the State of Telangana at Hyderabad. (Amend the Cause Title in Appeal as per the Court Order)
3. One CC to SRI. S. GANESH RAO, Advocate [OPUC]
4. One CC to **SRI. JOGRAM TEJAVATH**, Advocate [OPUC]
5. Two CD Copies



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HIGH COURT
DATED:09/10/2023

ORDER
I.A. No. 05 of 2023
IN
AS.No.1020 of 2012



ALLOWING THE APPLICATION

⑧ VVV
12/10/23