



2026:TSHC:7481

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUDDALA CHALAPATHI RAO

APPEAL SUIT NO: 457 OF 2007

Appeal U/s 96 of C.P.C against the Judgment and Decree made in O.S.No.16
of 1998 dated 23.02.2006 on the file of the II Addl. District Judge, R.R.District at L.B.
Nagar.

Between:

1. Smt. Kamala Bai W/o late R. Muttu Swamy
2. M. Shashidharan Raju, S/o late Muttur Swamy
3. M.Ramu @ Ramesh (Died) per LRs
4. M.Lakshman @ Suresh S/o Late Muttu Swamy
All are R/o H.No.2-6-194, Sikh Village, Secunderabad
5. R.Suguna Bai W/o Ramalingam R/o H.No.45/7, Pankajam Street,
Puraswalakam Madras
6. Vanaja Shyama Sunder W/o Shyama Sunder R/o Qutubullapur Mandal,
Anjaiah Nagar, Jagathgiri Gutta, Ranga Reddy District
7. Jayanthi Ganga Ram W/o Ganga Ram R/o H.No.2-7-84, Sikh Village,
Secunderabad
8. C.V.Kalaivani W/o C.Anantha Kumar R/o Plot No.90, Maruthinagar,
Saroornagar Mandal, R.R.District
9. Hemalatha W/o Late Ramesh Kumar
10. Kum.Nirosha D/o Late Ramesh Kumar
11. Master Pavan Kumar S/o Late Ramesh Kumar
(Appellants 10 and 11 are minors rep.by their natural mother Smt. Hemalatha,
Appellant No.9)
(Appellants 9 to 11 are R/o 2-6-194, Sikh Village, Secunderabad)

...APPELLANTS/PLAINTIFFS

AND

1. K.Balaraju S/o late K. Anjaiah R/o H.No. 4-39, Opp. Select Theatre Macha
Bollaram, Ranga Reddy District.
(Died per LRs Respondents 11 to 15)
2. K.Narayana S/o Late K.Anjaiah, R/o H.No.4-39, Opp.Select Theatre, Macha
Bollaram, Ranga Reddy District.
3. Hasthinapuri Coop. Housing Society, (TBC No.384), Ammuguda, Ranga
Reddy District.
4. B.Ratnagiri Shetty, S/o Late B.S.Shetty
5. B.Sitharam Shetty, S/o Late B.S.Shetty
6. B.Padmanabha Shetty, S/o Late B.S.Shetty
7. B.Vardhamana Shetty, S/o Late B.S.Shetty
8. B.Meera Shetty, S/o Late B.S.Shetty
9. Kusumamma, S/o Late B.S.Shetty
10. Baby, S/o Late B.S.Shetty
(Respondent Nos.4 to 10 are R/o H.No.6-4-8, Bolakpur, Secunderabad)



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11. Smt. K.Kamalamma, W/o. Late. Balaraju, R/o.H.No.2-3-38, Macha Bollaram, Madhura Enclave, Ward No.2, Alwal, R.R.District.
12. K.Niranjan, S/o. Late. Balaraju, Aged about 30 years, Occ. Cultivation, R/o. H.No.2-3-38, Macha Bollaram, Madhura Enclave, Ward No.2, Alwal, R.R.District.
13. K.Aruna, D/o. Late Balaraju, Aged about 26 years, Occ. Housewife, R/o. H.No.2-3-38, Macha Bollaram, Madhura Enclave, Ward No.2, Alwal, R.R.District.
14. K. Bhagya Laxmi, D/o. Late Balaraju, Aged about 26 years, Occ. Housewife, R/o. H.No.2-3-38, Macha Bollaram, Madhura Enclave, Ward No.2, Alwal, R.R.District.
15. P.Balamani, W/o. Rammohan, Aged about 26 years, Occ. Housewife, R/o. H.No.2-3-38, Macha Bollaram, Madhura Enclave, Ward No.2, Alwal, R.R.District.

(Respondent Nos.11 to 15 are brought on record as LR's of deceased Respondent No.1 as per court Order dated 06.11.2024 vide A.S.M.P.No.1861 of 2015 (I.A.No.2 of 2015) in A.S.No.457 of 2007)

...RESPONDENTS

ASMP. NO: 1224 OF 2015

Petition under Order X Rule 1 R/w 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 permit the petitioners herein to amend the extent of land in Sy.Nos.13 and 14 situated at Ammuguda Village, Malkajgiri Mandal, Ranga Reddy District as Acs.31-13 guntas instead of Acs.20-00 where ever it occurred in the affidavit filed in support of A.S.M.P.No.1761/2007 as well as in Memorandum of Grounds of Appeal - A.S.No.457/2007 by extending the interim order granted earlier on 05-12-2009 for the actual extent of Acs.31-13 guntas in Sy.Nos.13 and 14 situated at Ammuguda Village, Malkajgiri Mandal, Ranga Reddy District and pass such other or further orders as are necessary.

A.S.M.P. NO: 1761 OF 2007

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 direct the respondents 1 to 3 herein not to alienate the land to an extent of Ac. 20-00 in Sy.Nos. 13 and 14 situated at Ammuguda, Ranga Reddy District, nor alter the nature of the said land pursuant to the judgment and decree dt. 23-02-06 made in OS No. 16/98, on the file of the II Addl. District Judge, Ranga Reddy District.

Counsel for the Appellants : SRI. V. HARI HARAN

Counsel for the Respondent No.3: Sri GOVARDHAN REDDY JOUNDLA

Counsel for the Respondent No.4 : SRI K.RAVI KUMAR

The Court made the following: ORDER



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

THE HON'BLE SRI JUSTICE SUDDALA CHALAPATHI RAO

A.S.No.457 OF 2007

Dt.17.02.2026

Between:

Kamala Bai & Others

.... Appellants

and

K.Balaraju & Others.

...Respondents

JUDGMENT:

Learned counsel for the appellant and Sri K.Ravi Kumar, learned counsel for respondent No.4 are present.

2. A Memo *vide* USR.No.18171 of 2026, dt.16.02.2026 has been filed by the appellants stating that the rights of the appellants in the instant appeal suit are subject to the result of the appeal in AS.No.83 of 2025 pending before the IV Addl. District Judge, Medchal Malkajgiri District at Kushaiguda, filed by the appellants herein against the judgment and decree, dt.12.09.2025 in OS.NO.62 of 1991, whereby the suit filed by the appellants for specific performance was dismissed, and sought to keep the proceedings in the instant suit in abeyance or in the alternative pass orders by giving permission or leave to the appellants to reopen the appeal, in the event of closure of appeal.



3. However, the learned counsel for the appellants restricted the said memo to that of seeking permission to withdraw the instant Appeal Suit with liberty to the appellants to workout appropriate remedies.

4. In view of the above submission, the Appeal Suit is dismissed as withdrawn with liberty to the appellants to work out the remedies as available to them in law. No order as to costs.

As a sequel, miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

SD/- N.SRIHARI
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The II Additional District Judge, Ranga Reddy District at L.B.Nagar (With Records)
 2. One CC to Sri V.Hari Haran, Advocate (OPUC)
 3. One CC to Sri Goverdhan Reddy Joundla, Advocate (OPUC)
 4. One CC to Sri K.Ravi Kumar, Advocate (OPUC)
 5. Two CD Copies
- Ks/PSL



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HIGH COURT

DATED:17/02/2026

JUDGMENT

AS.No.457 of 2007



Dismissing the Appeal Suit as
Withdrawn. Without costs.

(7) *fpr*
6/3/26