

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE TWENTY FIFTH DAY OF MARCH

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

SECOND APPEAL NOS: 29 OF 2026 AND 432 OF 2025

SA.No.29 OF 2026

Between:

1. K. Vinayak, S/o. Late K. Bheem Rao
2. K. Pavan Kumar, S/o. Late K. Bheem Rao
3. K. Srinivas, S/o. Late K. Bheem Rao
4. K. Eshwar Prasad, S/o. Late K. Bheem Rao

...Appellants / Respondent Nos.5, 6, 8 and 9

AND

1. Adimavasi Erukala Co-Operative Housing Society, R/o. H.No.16-1-472/2L, Saidabad, Hyderabad.
2. K. Mallaiah @ Mallshamn, S/o. Late K. Pochaiah, Aged about 53 years, Occ: Retd. Bank Employee, R/o. H.No.1 6-1-472/23, Saidabad, Hyderabad.
3. P. Yadaiah, S/o Late K. Pochaiah, Aged about 48 years, R/o H.No.16-1-472/26, Saidabad, Hyderabad
4. P. Balaiah, S/o Late K. Pochaiah, Aged about 48 years, Rio H.No.16-1-472/27, Saidabad, Hyderabad.
- * 5. K. Buchidas, (died as per Lrs Appellants No.12 to 21)
6. V. Ram Chander, S/o Late Muthaiah, Aged about 53 years, R/o H.No.16-1-472/33, Saidabad, Hyderabad.
7. Pudtha Shantamma, W/o Yadagiri aged about 65 years, Occ Business, R/o 16-1-472/18, Ekalavya Nagar Saidabad, Hyderabad
8. Pudtha Srinu, S/o Yadagiri, aged about 40 years, Occ business, Rio 16-1-472/18, Ekalavya Nagar Saidabad, Hyderabad
9. Pudtha Darshan, S/oYadagiri aged about 38 years, Occ Service R/o 16-1-472/18, Ekalavya Nagar Saidabad, Hyderabad
10. Pudtha Laxman, S/o Yadagiri, Aged about 35 years, Occ business, R/o 16-1-472/18, Ekalavya Nagar Saidabad, Hyderabad
11. Pudtha Narsimha, S/o Yadagiri, aged about 25 years, Occ business R/o 16-1-472/18, Ekalavya Nagar Saidabad, Hyderabad
12. K. Mysamma, Wo Buchi Das, Aged about 65 years, Occ Housewife, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad

- ✓ 13. K. Babu Rao, S/o Buchi Das, aged about 50 years, Occ Service, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
14. Krishna Das, S/o Buchi Das aged about 45 years, Occ Service, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
15. Laxminarayana, S/o Buchi Das aged about 42 years, Occ Service, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
16. Venkatesh, S/o Buchi Das, aged about 40 years, Occ business, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
17. Shankar, S/o Buchi Das, aged about 38 years, Occ business, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
- ✓ 18. Narsing Rao, S/o Buchi Das aged about 35 years, Occ Service, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
19. Prabhu, S/o Buchi Das aged about 30 years, Occ business, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
20. K. Raju, S/o Buchi Das Aged about 30 years, Occ business, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
21. K. Sudarshan, S/o Buchi Das Aged about Major, Occ business, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
- ✓ 22. D. Shwaramma, W/o Late Ramaswamy, Aged about 51 years, Occ Medical practitioner, R/o H.No.16-1-472121 saidabad, Hyderabad
23. M.R. Harsha, S/o late Ramaswamy, aged about 20 years, Occ Student R/o H.No.16-1-472121 saidabad, Hyderabad
24. Pochamma, (died)
25. Buchamma, (died)
26. Yadaiah @ Yadagiri, (died)
27. M. Ramaswamy, (died as per Lrs Appellants No.22 and 23)
28. S. Purshotham, (died)
29. D. Laxmi Narsamma, W/o D.P Yellaiah, Aged about 62 years, Occ Housewife R/o H.No. 16-1-486/813, Saidabad, Hyderabad
- ✓ 30. K. Bheem Rao, S/o Maisaiah, Aged about 65 years, Occ R/o H.No.16-1-464, Saidabad, Hyderabad
31. B. Pochaiah, S/o Not known to the petitioner Aged about Major, R/o H.No.16-1-472127, Saidabad, Hyderabad.
32. Sakku Bai, W/o Late K.Bheem Rao, Aged about 70 years, Occ Household, R/o H. No. 16-1-464, Saidabad, Hyderabad.
33. Smt. Ekambari, W/o M. Suresh, D/o Late K. Bheem Rao, aged about 43 years, Occ Housewife, R/o H. No. 16-1-464, Saidabad, Hyderabad

✓
...Respondents / Appellants / Respondents

✓ Second Appeal under Section 100 CPC against the order dated to allow the Second Appeal by setting aside the decree and Judgment dt: 23.12.2024 passed in A.S.No.291 of 2014 by the Ld. XI Addl. Chief Judge, City Civil Court, Hyderabad and the decree and order dt. 26.08.2014 passed in I.A. No. 122 of 2006 in O.S.No.3226 of 1980 on the file of Ld. III Junior Civil Judge, City Civil Court, Hyderabad and consequently remand the matter back to the Ld. Trial Court for fresh consideration of I.A.No.122 of 2006 in O.S.No.3226 of 1980 on the file of Ld. III Junior Civil Judge, City Civil Court, Hyderabad. ✓

IA NO: 2 OF 2026

✓ 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 restrain the Respondents herein from alienating or creating any third-party rights or from changing the nature of the suit schedule lands, ✓

SUIT SCHEDULE PROPERTY

Sl. No.	Survey No.	Ac Gts
1.	226 227	3-12 Saidabad Village

2. House in the lands Survey Nos.226 and 227, Saidabad, Hyderabad.

✱ pending disposal of SA No.29 of 2026, on the file of the High Court.

The appeal coming on for hearing, upon perusing the appeal and the grounds filed in support thereof and upon hearing the arguments of SRI. VADEENDRA JOSHI Advocate for the Appellants, M/s. C. HARI PREETH Advocate for the Respondent No.1 and M/s. MANDHANI ASSOCIATES Advocate for the Respondent No.33,

SA.No.432 OF 2025

Between:

✓ D. Laxmi Narsamma

...Appellant

AND

- ✓ 1. Adimavasi Erukala Co-Operative Housing Society, R/o. H.No.16-1-472/2L, Saidabad, Hyderabad.
2. K. Mallaiah @ Mallshamn, S/o. Late K. Pochaiah, Aged about 53 years, Occ: Retd. Bank Employee, R/o. H.No.1 6-1-472/23, Saidabad, Hyderabad.
- ✓ 3. P. Yadaiah, S/o Late K. Pochaiah, Aged about 48 years, R/o H.No.16-1-472/26, Saidabad, Hyderabad

- ✓ 4. P. Balaiah, S/o Late K. Pochaiah, Aged about 48 years, Rio H.No.16-1-472/27, Saidabad, Hyderabad.
- * 5. K. Buchidas, (died as per Lrs Appellants No.12 to 21)
6. V. Ram Chander, S/o Late Muthaiah, Aged about 53 years, R/o H.No.16-1-472/33, Saidabad, Hyderabad.
7. Pudtha Shantamma, W/o Yadagiri aged about 65 years, Occ Business, R/o 16-1-472/18, Ekalavya Nagar Saidabad, Hyderabad
8. Pudtha Srinu, S/o Yadagiri, aged about 40 years, Occ business, Rio 16-1-472/18, Ekalavya Nagar Saidabad, Hyderabad
9. Pudtha Darshan, S/oYadagiri aged about 38 years, Occ Service R/o 16-1-472/18, Ekalavya Nagar Saidabad, Hyderabad
- ✓ 10. Pudtha Laxman, S/o Yadagiri, Aged about 35 years, Occ business, R/o 16-1-472/18, Ekalavya Nagar Saidabad, Hyderabad
11. Pudtha Narsimha, S/o Yadagiri, aged about 25 years, Occ business R/o 16-1-472/18, Ekalavya Nagar Saidabad, Hyderabad
12. K. Mysamma, Wo Buchi Das, Aged about 65 years, Occ Housewife, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
13. K. Babu Rao, S/o Buchi Das, aged about 50 years, Occ Service, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
14. Krishna Das, S/o Buchi Das aged about 45 years, Occ Service, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
- ✓ 15. Laxminarayana, S/o Buchi Das aged about 42 years, Occ Service, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
16. Venkatesh, S/o Buchi Das, aged about 40 years, Occ business, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
17. Shankar, S/o Buchi Das, aged about 38 years, Occ business, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
18. Narsing Rao, S/o Buchi Das aged about 35 years, Occ Service, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
19. Prabhu, S/o Buchi Das aged about 30 years, Occ business, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
20. K. Raju, S/o Buchi Das Aged about 30 years, Occ business, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
- ✓ 21. K. Sudarshan, S/o Buchi Das Aged about Major, Occ business, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
22. D. Shwamma, Wo Late Ramaswamy, Aged about 51 years, Occ Medical practitioner, R/o H.No.16-1-472/21 saidabad, Hyderabad
23. M.R. Harsha, S/o late Ramaswamy, aged about 20 years, Occ Student R/o H.No.16-1-472/21 saidabad, Hyderabad
- * 24. Pochamma, (died)

- * 25. Buchamma, (died)
- 26. Yadaiah @ Yadagiri, (died)
- 27. M. Ramaswamy, (died as per Lrs Appellants No.22 and 23)
- 28. S. Purshotham, (died)
- 29. B. Pochaiah (died)
- 30. Smt. Sakku Bai, W/o Late K. Bheem Rao, Aged about 70 years, Occ. Household. H.No.16-1-464, Saidabad, Hyderabad
- 31. K. Vinayak, S/o Late K. Bheem Rao, Aged about 50 years, Occ. Business. H.No.16-1-464, Saidabad, Hyderabad
- 32. K. Pavan Kumar, S/o Late K. Bheem Rao, Aged about 45 years, Occ. Business. H.No.16-1-464, Saidabad, Hyderabad.
- 33. Smt. Ekambari, W/o M. Suresh, Aged about 43 years, Occ. Housewife. H.No.16-1-464, Saidabad, Hyderabad
- 34. K. Srinivas, S/o Late K. Bheem Rao, Aged about 41 years, Occ. Business. H.No.16-1-464, Saidabad, Hyderabad.
- 35. K. Eshwar Prasad, S/o Late K. Bheem Rao, Aged about 38 years, Occ. Business. H.No.16-1-464, Saidabad, Hyderabad.
- * 36. Bheem Rao (Died), (Per Lrs Respondent Nos. 30 to 35)

...Respondents / Appellants / Respondents

Second Appeal under Section 100 CPC against the order dated 23-12-2024 pleaded to allow the Second Appeal by setting aside Orders Dt.23-12-2024 of the first appellate court in A.S.No.291 of 2014 passed by III Addl. Chief Judge, City Civil Court, Hyderabad and conforming the Orders Dt. 26.08.2014 in I.A No. 122 of 2006 in O.S No. 3226 of 1980 passed by the III Junior Civil Judge City Civil Court, Hyderabad. in the interest of justice. —

IA NO: 2 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 suspend the operation of the decree and judgement dated. 3-12-2024 in AS. No.291 of 2014 on the file of XI Addl chief judge CCC, Hyderabad dismissing the IA No. 122 of 2006 in OS no.3226 of 1980 while set aside the final decree passed in the said I.A.No.122 of 2006 on the file of III Junior Civil Judge, City Civil Court Hyderabad pending disposal of SA.No.432 of 2025, on the file of the High Court. —

The appeal coming on for hearing, upon perusing the appeal and the grounds filed in support thereof and upon hearing the arguments of SRI. B. VENKAT RAMA RAO Advocate for the Appellants, M/s. C. HARI PREETH Advocate for the Respondent No.1, M/s. PRATHIBHA DESHPANDE Advocate for the Respondent No.30, SRI. VADEENDRA JOSHI Advocate for the Respondent Nos.31, 32, 34 and 35 and M/s. MANDHANI ASSOCIATES Advocate for the Respondent No.33, the Court made the following. —

ORDER:

Status quo obtaining as on today shall be maintained by both the parties till the next date of hearing i.e., 22.04.2026.

**SD/- MOHD ISMAIL
DEPUTY REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The XI Addl. Chief Judge, City Civil Court, Hyderabad.
2. The III Addl. Chief Judge, City Civil Court, Hyderabad.
3. The III Junior Civil Judge City Civil Court, Hyderabad.
4. Adimavasi Erukala Co-Operative Housing Society, R/o. H.No.16-1-472/2L, Saidabad, Hyderabad.
5. K. Mallaiah (2) Mallshamn, S/o. Late K. Pochaiah, Aged about 53 years, Occ: Retd. Bank Employee, R/o. H.No.1 6-1-472/23, Saidabad, Hyderabad.
6. P. Yadaiah, S/o Late K. Pochaiah, Aged about 48 years, R/o H.No.16-1-472/26, Saidabad, Hyderabad
7. P. Balaiah, S/o Late K. Pochaiah, Aged about 48 years, Rio H.No.16-1-472/27, Saidabad, Hyderabad.
8. V. Ram Chander, S/o Late Muthaiah, Aged about 53 years, R/o H.No.16-1-472/33, Saidabad, Hyderabad.
9. Pudtha Shantamma, W/o Yadagiri aged about 65 years, Occ Business, R/o 16-1-472/18, Ekalavya Nagar Saidabad, Hyderabad
10. Pudtha Srinu, S/o Yadagiri, aged about 40 years, Occ business, Rio 16-1-472/18, Ekalavya Nagar Saidabad, Hyderabad
11. Pudtha Darshan, S/oYadagiri aged about 38 years, Occ Service R/o 16-1-472/18, Ekalavya Nagar Saidabad, Hyderabad
12. Pudtha Laxman, S/o Yadagiri, Aged about 35 years, Occ business, R/o 16-1-472/18, Ekalavya Nagar Saidabad, Hyderabad
13. Pudtha Narsimha, S/o Yadagiri, aged about 25 years, Occ business R/o 16-1-472/18, Ekalavya Nagar Saidabad, Hyderabad
14. K. Mysamma, Wo Buchi Das, Aged about 65 years, Occ Housewife, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
15. K. Babu Rao, S/o Buchi Das, aged about 50 years, Occ Service, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
16. Krishna Das, S/o Buchi Das aged about 45 years, Occ Service, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
17. Laxminarayana, S/o Buchi Das aged about 42 years, Occ Service, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad

18. Venkatesh, S/o Buchi Das, aged about 40 years, Occ business, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
19. Shankar, S/o Buchi Das, aged about 38 years, Occ business, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
20. Narsing Rao, S/o Buchi Das aged about 35 years, Occ Service, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
21. Prabhu, S/o Buchi Das aged about 30 years, Occ business, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
22. K. Raju, S/o Buchi Das Aged about 30 years, Occ business, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
23. K. Sudarshan, S/o Buchi Das Aged about Major, Occ business, R/o H.No.16-1-427/15 Eklavya Nagar, Saidabad, Hyderabad
24. D. Shwaramma, Wo Late Ramaswamy, Aged about 51 years, Occ Medical practitioner, R/o H.No.16-1.-472121 saidabad, Hyderabad
25. M.R. Harsha, S/o late Ramaswamy, aged about 20 years, Occ Student R/o H.No.16-1.-472121 saidabad, Hyderabad
26. D. Laxmi Narsamma, W/o D.P Yellaiah, Aged about 62 years, Occ Housewife R/o H.No. 16-1 -486/813, Saidabad, Hyderabad
27. K. Bheem Rao, S/o Maisaiah, Aged about 65 years, Occ R/o H.No.16-1-464, Saidabad, Hyderabad
28. B. Pochaiah, S/o Not known to the petitioner Aged about Major, R/o H.No.16-1-472127, Saidabad, Hyderabad.
29. Sakku Bai, W/o Late K.Bheem Rao, Aged about 70 years, Occ Household, R/o H. No. 16-1-464, Saidabad, Hyderabad.
30. Smt. Ekambari, W/o M. Suresh, D/o Late K. Bheem Rao, aged about 43 years, Occ Housewife, R/o H. No. 16-1-464, Saidabad, Hyderabad
31. K. Vinayak, S/o Late K. Bheem Rao, Aged about 50 years, Occ. Business. H.No.16-1-464, Saidabad, Hyderabad
32. K. Pavan Kumar, S/o Late K. Bheem Rao, Aged about 45 years, Occ. Business. H.No.16-1-464, Saidabad, Hyderabad.
33. Smt. Ekambari, W/o M. Suresh, Aged about 43 years, Occ. Housewife. H.No.16-1-464, Saidabad, Hyderabad
34. K. Srinivas, S/o Late K. Bheem Rao, Aged about 41 years, Occ. Business. H.No.16-1-464, Saidabad, Hyderabad.
35. K. Eshwar Prasad, S/o Late K. Bheem Rao, Aged about 38 years, Occ. Business. H.No.16-1-464, Saidabad, Hyderabad **(RR 4 to 35 by SPAD)**.
36. One CC to SRI. VADEENDRA JOSHI, Advocate [OPUC].
37. One CC to SRI. B. VENKAT RAMA RAO, Advocate [OPUC].
38. One spare copy

ZEE

HIGH COURT

RRNJ

DATED:25/03/2026

LIST ON 22.04.2026

ORDER



SECOND APPEAL NOs: 29 OF 2026 AND 432 OF 2025

STATUS QUO