

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE SIXTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

CRP NO: 1449 OF 2026

Between

Nelakurthy Madhukar Reddy, S/o. Yakub Reddy

.....Petitioner/Respondent/Plaintiff

AND

1. Maramraju Venkata Appa Rao, S/o. Late Yadagiri Rao, R/o. 17-1-35/B, Santosh Nagar, Hyderabad.
2. Kurala Veeraswamy, S/o. Appaiah,
3. Kurala Appaiah, S/o. Veeraswamy,
4. Kurala Krishna, S/o. Veeraswamy,

Respondent Nos.2 to 4 all are R/o. Abbaipalem Village, Maripeda Mandal, Mahabubabad District.

Respondents/Petitioners/Defendants

WHEREAS the Petitioner above named through his Advocate SRI NARENDAR JALLI presented this Petition under Article 227 of the Constitution of India, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to set aside the order passed in I.A.No.108 of 2026 in I.A.No.991 of 2021 in O.S.No.21 of 2017, dated 20.04.2026 on the file of Junior Civil Judge-cum-Judicial Magistrate of First Class, Thorrur by allowing the CRP;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri NARENDAR JALLI, Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this CIVIL REVISION PETITION should not be admitted.

You viz:

1. Maramraju Venkata Appa Rao, S/o. Late Yadagiri Rao, R/o. 17-1-35/B, Santosh Nagar, Hyderabad.
2. Kurala Veeraswamy, S/o. Appaiah, R/o. Abbaipalem Village, Maripeda Mandal, Mahabubabad District.
3. Kurala Appaiah, S/o. Veeraswamy, R/o. Abbaipalem Village, Maripeda Mandal, Mahabubabad District.

4. Kurala Krishna, S/o. Veeraswamy, R/o. Abbaipalem Village, Maripeda Mandal, Mahabubabad District.

are directed to show cause on or before **08.07.2026** to which date the case stands posted as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this CIVIL REVISION PETITION should not be admitted.

I.A. NO: 1 OF 2026

Petition under Section 151 of C.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings in I.A.No.108 of 2026 in I.A.No.991 of 2021 in O.S.No.21 of 2017, dated 20/04/2026 on the file of the Junior Civil Judge-cum-Judicial Magistrate of First Class, Thorrur, pending disposal of CRP No.1449 of 2026, on the file of the High Court.

The Court made the following:

ORDER:

Notice Before Admission.

Learned counsel for the petitioner is permitted to take out personal notice to the respondents through Speed Post with Acknowledgment Due and file proof of service into the registry by the next date of hearing.

Sri Jalli Kanakaiah, learned Senior Counsel representing Sri Jalli Narendar, learned counsel for the petitioner submitted that the present Civil Revision Petition is filed challenging the common order dated 20.04.2026 passed by the learned Junior Civil Judge-cum-Judicial Magistrate of First Class, Thorrur in I.A.No.108 of 2026 and I.A.No.109 of 2026 in I.A.No.991 of 2021 in O.S.No.21 of 2017, whereby the delay of 347 days in filing a petition under Section 5 of the Limitation Act and Order IX Rule 9 C.P.C. was condoned on payment of costs of Rs.2,500/-.

Learned Senior Counsel raised serious objections to the impugned proceedings, contending that the trial Court allowed such an inordinate delay without examining the merits of the case, particularly when it is an admitted fact that the respondents had knowledge of the proceedings.

It is further submitted that the respondents had already preferred an Appeal before the learned Court of the Special Tribunal and Collector, Mahabubabad District, in Tribunal Case No.20 of 2021 arising out of ROR Appeal Petition No.E/3783/2015/RDO, which was dismissed by order dated 10.07.2021. Aggrieved thereby, the respondents again approached the competent

Civil Court by filing O.S.No.305 of 2021 on the file of the learned Junior Civil Judge at Thorrur, which is pending consideration. Therefore, the contention of the respondents that they had no knowledge of the *ex parte* decree does not arise.

This matter requires detailed examination and the facts can be ascertained only upon filing written instructions/counter-affidavit by the respondents.

Prima facie, it appears that the learned trial Court has not adequately considered the material facts while passing the common order condoning the delay of 347 days in filing the petition under Section 5 of the Limitation Act and Order IX Rule 9 C.P.C to set aside the dismissal order dated 17.03.2025.

Accordingly, the impugned proceedings in I.A.No.108 of 2026 in I.A.No.991 of 2021 in O.S.No.21 of 2017, dated 20.04.2026 on the file of the learned Junior Civil Judge-cum-Judicial Magistrate of First Class, Thorrur, shall stand suspended until further orders.

List on 08.07.2026.

Sd/- MOHD.ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Junior Civil Judge-cum-Judicial Magistrate of First Class, Thorrur, Dist. Mahabubabad.
2. Maramraju Venkata Appa Rao, S/o. Late Yadagiri Rao, R/o. 17-1-35/B, Santosh Nagar, Hyderabad.
3. Kurala Veeraswamy, S/o. Appaiah, R/o. Abbaipalem Village, Maripeda Mandal, Mahabubabad District.
4. Kurala Appaiah, S/o. Veeraswamy, R/o. Abbaipalem Village, Maripeda Mandal, Mahabubabad District.
5. Kurala Krishna, S/o. Veeraswamy, R/o. Abbaipalem Village, Maripeda Mandal, Mahabubabad District.
[Addresses 2 to 5 by SPAD-along with a copy of petition and memorandum of grounds]
6. One CC to Sri NARENDAR JALLI, Advocate [OPUC]
7. One spare copy

HIGH COURT

EVV, J

DATED: 06-05-2026

LIST ON 08-07-2026

NOTICE BEFORE ADMISSION

CRP.No.1449 of 2026

SUSPENSION

