



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

**TUESDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

CIVIL REVISION PETITION NO: 2801 OF 2023

Petition under Article 227 of the Constitution of India, aggrieved by the order dated 20/6/2023 passed by the Court of the II Addl District Judge, Ranga Reddy District at L. B. Nagar in I.A. No. 180 of 2020 in OS No 545 of 2014 and consequently allow the I.A.

BETWEEN:

1. Manchi Reddy Madhava Reddy, S/o. Papi Reddy, Aged 64 years, Occ. Agriculture, R/o. H. No. 8-5-247/8, Sagar Enclave, Bairamalguda, Saroornagar Mandal, Ranga Reddy District.
2. Manchi Reddy Karunakar Reddy, S/o. Papi Reddy, Aged 54 years, Occu. Agriculture, R/o. H. No. 133, Srinivasapuram Colony, Hasthinapuram, Hayathnagar Mandal, Ranga Reddy District

...PETITIONERS/PROPOSED DEFENDANTS

AND

1. Smt. Manchi Reddy Swetha, W/o Late. M. Achuth Reddy, Aged about 25 years, Occu House Hold, R/o. Jillelaguda (v), Saroornagar Mandal, Ranga Reddy District
2. Baby Jyoshika, D/o Late. M.Achuth Reddy, Aged about 4 1/2 years, Occu Student, Rep by her natural guardian/ mother Smt. M. Swetha Both are R/o. H. No. 6-256/1, Plot No. 414, Raghavendranagar Colony, Jillelaguda (v), Saroornagar Mandal, Ranga Reddy District.

...RESPONDENTS/PLAINTIFFS

3. Smt. Manchi Reddy Vasundara, W/o. Late. M.Blaram Reddy, aged about 68 years, Occu Household, R/o. Plot NO. 52/A, Venture-III, Road No.4, S.B.H. Colony, LB Nagar, R.R. District
4. Smt. Manchi Reddy Aravind Reddy, S/o. Late.M.Blaram Reddy, aged about 33 years, Occu Household, Plot NO. 52/A, Venture-III, Road No.4, S.B.H. Colony, LB Nagar, R.R. District
5. Smt. Darpally Sabitha, W/o Venkat Krishna Reddy, Aged about 38 years, Occ Household, R/o H. No. 16-9-749/50, Ajantha Colony, Race Course Road, Old Malakpet, Hyderabad.
6. Bank of India, Rep by its, Manager, Dilshuknagar Branch, Hyderabad (Respondents No. 3 to 6 are not necessary parties to this Petition)



2025:TSHC:23168

...RESPONDENTS/DEFENDANTS Nos. 1 to 4

IA NO: 1 OF 2023

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 **Stay** all further proceedings of OS. No. 545 of 2014 on the file of the Court of the II Additional District Judge, Ranga Reddy District pending disposal of main CRP.

Counsel for the Petitioners: SRI. M RAMA KRISHNA

Counsel for the Respondent Nos. 1 & 2: K SREENIVAS

Counsel for the Respondent Nos. 3 to 6: NONE APPEARED

The Court made the following: ORDER



2025:TSHC:23168

HON'BLE SRI JUSTICE LAXMI NARAYANA ALISHETTY

CIVIL REVISION PETITION NO.2801 OF 2023

ORDER:

The Civil Revision Petition is filed assailing the order, dated 20.06.2023, passed by the II Additional District Judge Ranga Reddy District at L.B.Nagar in I.A.No.180 of 2020 in O.S.No.545 of 2014, whereby and where under application filed by the petitioners under Order I Rule 10 of CPC to implead them as defendants in the suit was dismissed.

2. Heard M.Rama Krishna, learned counsel for the revision petitioners and K.Sreenivas, learned counsel for respondents Nos.1 and 2.
3. Brief facts relevant for adjudication of the present Civil Revision Petition are that respondent Nos.1 and 2/plaintiffs filed a suit in O.S.No.545 of 2014 against the respondent Nos.3 to 6 herein for partition and separate possession in respect of the suit schedule "A" to "F" properties. Respondent Nos.3 and 5 entered appearance and filed their respective written statements in the suit.
4. During the pendency of the suit, petitioners filed an application *vide* I.A.No.180 of 2020 seeking to implead them as defendant Nos.5

& 6 in the suit to contest for protecting their rights over the 'B' schedule property i.e., agricultural land admeasuring to an extent of Ac.1.39 guntas in Sy.No.180/A; Acs.1.23 guntas in Sy.No.181/AA, Acs.4.24 guntas in Sy.No.184/EE, totally admeasuring Acs.8.06 guntas situated in Yeliminedu Village, Ibrahimpatam Mandal, Ranga Reddy District, being acquired by Balaram Reddy under a family arrangements.

5. In the application, petitioners averred that originally, in and around 1945, Manchi Reddy Hanuma Reddy and Manchi Reddy Ram Reddy jointly purchased the agricultural dry land to an extent of Acs.28.15 guntas in Sy.Nos.180 and 181 situated at Yeliminedu village along with other lands in various survey numbers, which were partitioned into equal shares; that Hanuman Reddy got Acs.14.07 guntas in Sy.No.180 and Ram Reddy got Acs.14.08 guntas in Sy.Nos.180 and 181 and they are in possession of their respective shares. The land in Sy.No.183 and 184 is the ancestral property fell to the share of Ram Reddy.

6. It is averred that late Manchi Reddy Ram Reddy has four sons namely late Achi Reddy, late Papi Reddy, late Chenna Reddy and late Bhupal Reddy and they orally divided the lands along with the lands



in Sy.No.180, 181, 182, 183 and 184 through a family agreement and subsequently, the family arrangement was reduced into writing in the presence of elders on Telugu date of Jesta Sudha Chathurdasi, Manmadhanama Samvatsaram, which is equivalent to the year 1955. As per the family arrangement, Chenna Reddy acquired Acs.7.04 guntas of land in Sy.Nos.180 and 181 and remaining acs.7.04 guntas in Sy.No.181 is acquired by Papi Reddy and the father of Balram Reddy did not have any share in Sy.No.180; that the petitioners being the sons of Papi Reddy, they succeeded the land in Sy.No.181 and in the year 2013, petitioners entered into an oral arrangement for exchanging their lands and according to oral arrangement, petitioner no.2 exchanged his share of land in Sy.No.181 with the petitioner No.1's share in Sy.No.184. Thus, petitioner no.1 became the owner and possessor of Ac.7.04 gts., in Sy.No.181 and petitioner No.2 became the owner and possessor of Acs.6.20 gts., in Sy.No.184.

7. During the years 1970 to 1975 another family arrangement was made with regard to the house property i.e., the Schedule "E" house property i.e., Door.No.3-32 in 400 Sy.Yards, situated in Yeliminedu Village, Ibrahimpatam Mandal, Ranga Reddy District and only the construed portion of the house is allotted to Balram Reddy, who is the

son of Achi Reddy and the open land abutting to the house is allotted to other three sons. Therefore, only the constructive portion is available for possessive portion among the legal heirs of Achi Reddy. Thus, the land in schedule "B" property is not available for partition since Balaram Reddy do not possess any land in Sy.Nos.180, 181 and 184 and that the petitioners have direct interest over the land shown in schedule "B" property and therefore, they filed the application to implead them as defendants in the suit to protect their right in the property.

8. In the said application, respondent Nos.1 and 2/plaintiffs filed counter resisting the application. The trial Court *vide* order dated 20.06.2023 dismissed the application. Aggrieved by the impugned order dated 20.06.2023, the present revision is filed.

9. Learned counsel for petitioners contended that petitioners are only concerned with the Schedule "B" and "E" property, which fell to the share of their father long back in 1955; that in the said partition, Balaram Reddy was not allotted any land in Sy.Nos.180, 181, and 184; that the trial Court without giving an opportunity to establish their case by adding them as defendant in the suit, hastily dismissed the application holding that the entries in revenue records display the



name of late Balaram Reddy was pattadar of land in Sy.Nos.180, 181 and 184 and literally declared the ownership on Balaram Reddy in respect of the said survey numbers without any trial.

10. The learned counsel for the petitioner further contended that the petitioners filed the application seeking their impleadment as an interested party and would be aggrieved party in respect of suit schedule "B" and "E" properties and ought to have granted an opportunity to petitioners to substantiate the same by participating in the suit proceedings and finally, prayed to allow the revision by setting aside the impugned order.

11. *Per contra*, learned counsel for the respondent Nos.1 and 2 had contended that the trial Court, on due consideration of the material placed on record, has rightly dismissed the application filed by the petitioners and the petitioners failed to make out a case warranting interference of this Court with the impugned order and prayed to dismiss the revision.

12. The trial Court, *vide* impugned order, observed that the petitioners are not the legal heirs of late Manchi Reddy Balram Reddy and they are the children of the junior paternal uncle of late Balram

Reddy; that the documents filed by respondent Nos.1 and 2, right from the year 2000, consistently demonstrate that Manchi Reddy Balaram Reddy is the owner of Ac.1.23 guntas in Sy.No.181 and Acs.4.24 guntas in Sy.No.184, which form part of the suit schedule 'B' property. The trial Court further observed that although, the petitioners claimed that the suit schedule 'B' property was allotted to their father, Papi Reddy, pursuant to a written family settlement, they failed to file any documentary evidence in support of such claim and further, no material has been placed on record to establish their connection to the said property. The trial Court also observed that the allegation of the petitioners, in respect of the suit schedule "E" property, that constructed portion of the house was only allotted to Balaram Reddy, and remaining open land was allotted to his three brothers, however, neither family agreement basing on which they are relying nor any material was placed on record in support of their contention.

13. Perusal of the record would show that the respondent Nos.1 and 2 filed the suit for partition and separate possession against the respondent Nos.3 to 6 claiming that late Manchi Reddy Balaram



Reddy was the owner of the properties in respect of the suit schedule properties and in support of their claim, they filed the documents from the years 2000 in respect of the subject properties. It is also case of respondent Nos.1 and 2 that since they are the legal heirs of late Balram Reddy, they are claiming partition and separate possession in the suit schedule "A" to "F" properties. The petitioners are claiming ownership in the suit schedule "B" and "E" properties contending that their father has been allotted a share in it, as per the family settlement, however, the petitioners have failed to place any material in support of their contention except orally asserting that they have share in the property. On the other hand, the respondent Nos.1 and 2 filed as many as 69 documents in support of their claim along with the plaint.

14. It is pertinent to note that the trial Court dismissed the application filed by the petitioners with a specific observation that they failed to produce the family settlement agreement under which their father, namely Papi Reddy, was allegedly allotted lands in Survey Nos.180, 181, and 184 and any other material. Furthermore, though the petitioners are claiming rights over the suit schedule 'B' property and a portion of the

'E' schedule property, they have neither filed any document before the trial Court nor produced any material even before this Court to substantiate their claim.

15. In the light of facts and circumstance of the case and above discussion, this Court is of the considered view that the trial Court has rightly dismissed the application and no grounds are made out to interfere with the impugned order passed by the trial Court. Therefore, the Revision fails and is accordingly dismissed. There shall be no order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

Sd/- P.CH. NAGABHUSHAMBA
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The II Addl District Judge, Ranga Reddy District at L. B. Nagar
2. One CC to SRI. M RAMA KRISHNA Advocate [OPUC]
3. One CC to SRI. K SREENIVAS Advocate [OPUC]
4. Two CD Copies

MKN/PSL





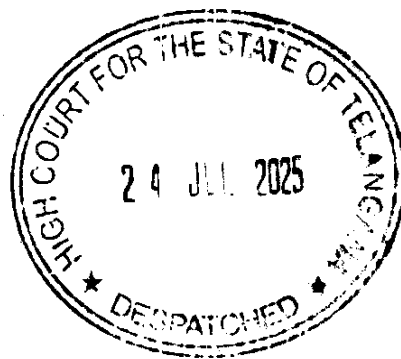
2025:TSHC:23168

HIGH COURT

DATED:24/06/2025

ORDER

CRP.No.2801 of 2023



CIVIL REVISION PETITION IS DISMISSED

⑥ MT
24/7/25