

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
WEDNESDAY, THE TWENTY NINTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE LAXMI NARAYANA ALISHETTY
IA No. 1 OF 2023**

IN

AS NO: 492 OF 2023

Between:

SMT. G.T.MADHAVI, D/o. Late G.T.K.Rangacharyulu W/o. Dr. Mangirish Varadkar, Aged about 56 years, Occ. Teacher, R/o. H.No.22-42/2, C/o. Sandya Kamalanagar, V.V Nagar, Dilsukhnagar, Hyderabad, Telangana-500060.

**...Petitioner/Appellant
(Appellant in AS 492 OF 2023
on the file of High Court)**

AND

1. G.T. BHANU MOHAN, S/o. Late G.T.K.Rangacharyulu Aged about 56 years, Occ. Nil, R/o. H.No.3-6-69/E/5. Avanti Nagar, Bashir Bagh, Hyderabad, Telangana -500029.
2. A. VENKATKISHAN RAO, S/o. Late A.Laxminarayana, Aged about 92 years, Occ. Business, R/o. H.No.3-6-147/10, II floor, Himayath Nagar, Hyderabad, Telangana - 500029.
3. SMT. A.YADAMMA, W/o. A.Anandam, Aged about 69 years, Occ. Housewife,
4. SMT.A.SHOBHARANI, W/o. A.Vidyanandam, Aged about 67 years, Occ. Housewife,.
5. SMT. A.PADMINI, W/o. A.Devanandam, Aged about 64 years, Occ. Housewife,
6. SMT. A.RANI, W/o. A.Yoganandam, Aged about 53 years, Occ. Housewife,
7. SMT. A.ANWITHA, W/o. A.Rananandam, Aged about 54 years, Occ. Housewife,
(Respondent No.3 to 7 are R/o. H.No.1-40, 1-40/1 and 1-41, Bandlaguda Jagir Village, Rajendranagar Mandal, Ranga Reddy District)
8. SMT. B.ANNAPOORNA, W/o. B.Narsimhulu, Aged about 70 years, Occ. Housewife, R/o. H.No.2-29, Bandlaguda Jagir Village, Rajendranagar Mandal, Ranga Reddy District.
9. SMT. B.MADHAVI, W/o. B.Sri Hari, Aged about 66 years, Occ. Housewife, R/o. H.No.2-29/1, Bandlaguda Jagir Village, Rajendranagar Mandal, Ranga Reddy District
10. SMT. B.VANDHANA, W/o. B.Narahari, Aged about. 62 years, Occ. Housewife, R/o. H.No.2-2912, Bandlaguda Jagir Village, Rajendranagar Mandal, Ranga Reddy District.
11. Smt.B.Manjula, W/o B. Raghu Raj u, Aged about. 52 years, Occ. Housewife,
12. Smt. B.Indira, W/o B.Mahalingam Aged about. 58 years, Occ. Housewife,
(Respondents No.11 and 12 are R/o Bandlaguda Jagir Village, Rajendranagar Mandal, Ranga Reddy District)

**...Respondents
(Respondents in-do-)**

Counsel for the Petitioner :SRI B SHANKER

Counsel for the Respondent :

Petition under Order-41, Rule-27 OF CPC, praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to receive the documents filed herewith as additional evidence namely (1) Certified Copy of the Registered Sale Deed bearing No. 971 of 1986, dated. 31-07-1968 along with the sketch plan, and (2) Certified Copy of the death Certificate of petitioner late father Sri G. T. K. Rangacharyulu marked as Exhibit A5 and A6. Pending disposal of AS No. 492 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of SRI B SHANKER Advocate for the Appellant and the court made the following

ORDER:

Heard learned counsel for petitioner as well as learned counsel for respondents.

This application is filed under XLI Rule 27 read with Section 151 of CPC praying to receive two documents i.e., certified copy of the Registered Sale Deed bearing document No.971/1986 dated 31.07.1968 along with sketch plan and certified copy of Death Certificate of father of petitioner late G.T.K.Rangacharyulu as additional evidence.

It is contended by the learned counsel for petitioner that suit was filed by the petitioner for partition and also to declare the Sale Deed No.4239 of 2000 dated 11.09.1998 executed by respondent Nos.1 and 2 as null and void. In the suit, it was specifically mentioned that Sale Deed was executed subsequent to the death of the father of the petitioner. It is further contended that late G.T.K.Rangacharyulu left Rishikesh in the year 1983 and renounced the world and despite best efforts, petitioner could not get the information and communication as to whereabouts of her father and since she is working as a Teacher and being a women, she could not pursue the matter. It is further contended that on much efforts, persuasion to get the details of her father, she came to know that her father expired on 09.09.1988 and to that effect, she also

obtained death certificate of her father from the Department of Medical, Health & Family Welfare, Nagar Nigam Rishikesh and same is now sought to be filed in the present Appeal along with the certified copy of Sale Deed bearing document No.971 of 1968 dated 31.07.1968, and that the said documents are very crucial for proper adjudication of the matter.

Per contra, learned counsel for respondents contended that the death certificate now sought to be filed is issued on 31.10.2023, which is much subsequent to passing of decree in O.S.No.465 of 2014, dated 28.06.2023; and the sale deed is dated 31.07.1968 which is much prior to passing of the decree in the suit; that no proper reasons have been assigned as to why the petitioner could not refer/place these documents when the matter was pending before the trial Court for adjudication and therefore, the application is liable to be dismissed.

Having considered the rival submissions made by both the counsels, it is relevant to refer to the averments made in the affidavit that father of the petitioner is went to Rishikesh in the year 1983 and petitioner could not get any information and communication about her father and only on much persuasion and efforts, she could get the information from Ashramam where her father lived in Rishikesh and procured the death certificate of her father. Therefore, this Court is satisfied with the reasons assigned by the petitioner to receive documents and accordingly, the application deserves to be allowed and the same is allowed. The documents i.e., C.C. of registered Sale Deed bearing document No.971 of 1968 dated 31.07.1968 along with sketch plan and C.C. of Death Certificate of late G.T.K.Rangacharyulu dated 31.10.2023 are taken on file as Exs.A5 and A6.

SD/-L.LAKSHMI BABU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XI Additional District And Session Judge, Ranga Reddy District, At LB Nagar.

2. One CC to SRI B SHANKER. Advocate [OPUC]
3. One spare copy

HIGH COURT

LNA, J

DATED:29/01/2025

NOTE: LIST ON 27.03.2025. ✓

ORDER

**IA No. 1 OF 2023
IN
AS NO: 492 OF 2023**

DIRECTION

