

**IN THE SUPREME COURT OF INDIA**  
**CIVIL APPELLATE JURISDICTION**  
**CIVIL APPEAL NO. \_\_\_\_\_ OF 2025**  
**(Arising out of SLP(C) No.6889 of 2024)**

**REBBANAMONI ANAND @ SANTHAPURAM ANAND**

**APPELLANT**

**VERSUS**

**SANTHAPURAM JANARDHAN REDDY AND OTHERS**

**RESPONDENTS**

**R1 : SANTHAPURAM JANARDHAN REDDY**

**R2 : S. SAHADEV REDDY**

**R3 : S. MAHADEV REDDY**

**O R D E R**

Heard learned counsel for the parties. Leave granted.

2. The appellant seeks interference in the impugned order dated 04.12.2023 passed by the High Court of Telangana at Hyderabad by which the petition to amend the suit filed by respondent no.1-plaintiff had been allowed.

3. Learned senior counsel for the appellant submits that originally, the suit was for simpliciter injunction with regard to possession of the suit property in favour of

respondent no.1-plaintiff. The suit was of the year 2008. However, on 17.06.2022, an amendment petition was filed by respondent no.1-plaintiff seeking to amend the relief for declaration of title and recovery of possession. It was submitted that the entire case of the plaintiff, right from the beginning had been that they had the title and also possession and only a declaration was required, but suddenly, the nature of the suit itself is sought to be changed by seeking the amendment sought where a declaration with regard to title followed by recovery of possession has been filed, which is impermissible and rightly, the Trial Court had rejected the same vide its order dated 13.02.2023 but the High Court has erroneously interfered and allowed the amendment.

4. *Per contra*, learned counsel for the respondents submits that initially, the plaintiff was in possession but only on 01.03.2021, he was dispossessed from the suit land and that is why, an amendment petition was filed on 17.06.2022. On a pointed query of the Court as to why it took more than one year for the plaintiff to file the amendment petition, it was submitted that it was covid time. When the Court further put a query whether any complaint was lodged before any other authority with regard to forceful dispossession of the plaintiff from the suit land, learned counsel fairly admitted that he had not moved any other authority. Another plea raised

was that if the plaintiff has a cause of action for declaration of title and recovery of possession, it would unnecessarily be a multiplicity of the suit and thus, if the amendment is made in the present suit itself, the issue would be decided and the appellant-defendant would always have a chance to rebut the same and contest on merits.

5. Be that as it may, from the very reading of the amendment petition and the ground taken for seeking such amendment, we are not satisfied with regard to the *bona fide* of the plaintiff. We also concur with the submission of learned senior counsel for the appellant-defendant that if such an amendment is allowed, the entire nature of the suit would change and this cannot be permitted by way of an amendment. With regard to the stand that the amendment would only save further litigation, the same is erroneous for the simple reason that after efflux of more than thirteen years, there would be limitation staring in the face of the plaintiff to even institute the suit and thus, what could not have been done directly cannot be done indirectly and surreptitiously through an amendment of the plaint.

6. For reasons aforesaid, without dwelling much on the merits, we find that the order impugned cannot be sustained. Accordingly, the appeal stands allowed. The amendment sought by the respondent no.1-plaintiff is rejected and the order of

the Trial Court stands restored.

7. Pending application(s), if any, shall stand disposed of.

.....J.  
[AHSANUDDIN AMANULLAH]

.....J.  
[S.V.N. BHATTI]

**NEW DELHI**  
**21<sup>st</sup> JULY, 2025**

ITEM NO.51

COURT NO.15

SECTION XII-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).6889/2024

[Arising out of impugned final judgment and order dated 04-12-2023 in CRP No.856/2023 passed by the High Court for the State of Telangana at Hyderabad]

REBBANAMONI ANAND @SANTHAPURAM ANAND

Petitioner(s)

VERSUS

SANTHAPURAM JANARDHAN REDDY &amp; ORS.

Respondent(s)

Date : 21-07-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH  
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. Gaurav Agrawal, Sr. Adv.  
Ms. Neha Singh, AOR

For Respondent(s) Mr. Sumanth Nookala, AOR

UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

2. The appeal stands allowed in terms of the signed order.
3. Pending application(s), if any, shall stand disposed of.

(SAPNA BISHT)

COURT MASTER (SH)

(Signed order is placed on the file)

(ANJALI PANWAR)

COURT MASTER (NSH)