**HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

* * * *

**CIVIL REVISION PETITION NO: 4452/2017**

**Between:**

Ravilla Veeraswamy Naidu & 2 others

**..... PETITIONERS**

**AND**

Kondala Venkataiah

**....RESPONDENT**

**DATE OF ORDER RESERVED : 27.07.2026**

**DATE OF ORDER PRONOUNCED : 15.10.2026**

**DATE OF ORDER UPLOADED : 15.10.2026**

**SUBMITTED FOR APPROVAL:**

**THE HONOURABLE SRI JUSTICE PURUSHOTTAM KUMAR CHINTALAPUDI**

1. Whether Reporters of Local newspapers may be allowed to see the Judgments? Yes/No
2. Whether the copies of judgment may be marked to Law Reporters/Journals Yes/No
3. Whether Your Lordship wishes to see the fair copy of the Judgment? Yes/No

**PURUSHOTTAM KUMAR CHINTALAPUDI,J**

*** THE HONOURABLE SRI JUSTICE PURUSHOTTAM KUMAR CHINTALAPUDI**

**CIVIL REVISION PETITION NO: 4452/2017**

% 15.10.2026

# Ravilla Veeraswamy Naidu & 2 others

……petitioners

And:

$ Kondala Venkataiah

…. respondent

!Counsel for the petitioners : Sri G. Ramesh Babu

^Counsel for the respondent : Sri K. Mohan Rami Reddy

<Gist:

>Head Note:

? Cases referred:

1. (2020) 19 SCC 80
2. (2018) 11 SCC 208
2. (2004) 3 SCC 85
3. 2007 (3) ALT 416
4. 1993 (1) ALT 26
5. 2002 SCC OnLine AP 128
6. Order dated 28.07.2022 in W.P.No.13459 of 2022
7. 2018 SCC OnLine Cal 4497
8. AIR 2006 Raj 119
9. 2002 SCC OnLine P&H 274

Date of reserved for orders : 27.07.2026
Date of pronouncement : 15.10.2026
Date of uploading : 15.10.2026

APHC010130212017

**IN THE HIGH COURT OF ANDHRA PRADESH**
**AT AMARAVATI** **[3606]**
**(Special Original Jurisdiction)**

THURSDAY, THE 15th DAY OF OCTOBER 2026

**PRESENT**

**THE HONOURABLE SRI JUSTICE PURUSHOTTAM KUMAR CHINTALAPUDI**

**CIVIL REVISION PETITION NO: 4452/2017**

**Between:**

1. RAVILLA VEERASWAMY NAIDU AND 2 OTHERS, S/O.VENKAMA NAIDU AGED ABOUT 65 YEARS DOOR NO.144, BUCHINAIDU KANDRIGA VILLAGE & MANDAL CHITTOOR DISTRICT.
2. RAVILLA NAGABHUSHANAMMA, W/O. RAVILLA VEERASWAMY NAIDU DOOR NO.144, BUCHINAIDU KANDRIGA VILLAGE & MANDAL CHITTOOR DISTRICT.
3. RAVALLA SUBHA CHANDRA, S/O.RAVILLA VEERASWAMY NAIDU AGED ABOUT 38 YEAR'S ALL ARE RESIDENTS OF DOOR NO.144, BUCHINAIDU KANDRIGA VILLAGE & MANDAL CHITTOOR DISTRICT.

**...PETITIONER(S)**

**AND**

1. KONDALA VENKATAIAH, S/O.SUBBAIAH R/O. BUCHINAIDU KANDRIGA VILLAGE & MANDAL CHITTOOR DISTRICT

**...RESPONDENT**

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 against the order dt. 18/08/2017 passed in IA.no. 1473 of 2016 in

O.S.No.95 of 2011 on the file of the Prl. Junior Civil Judge's Court, Srikalahasthi

**IA NO: 1 OF 2017(CRPMP 5845 OF 2017**

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 in O.S. No. 95 of 2011, on the file of the Principal Junior Civil Judge's Court, Srikalahsthi and pass such other or further orders as this Hon'ble Court may deem fit and proper under the circumstances of the case.

**Counsel for the Petitioner(S):**

1. G RAMESH BABU

**Counsel for the Respondent:**

1. K MOHAN RAMI REDDY

**The Court made the following:**

**THE HONOURABLE SRI JUSTICE PURUSHOTTAM KUMAR CHINTALAPUDI**

**CIVIL REVISION PETITION NO: 4452 OF 2017**

**ORDER:**

This Civil Revision Petition is directed against the order dated 18.08.2017 passed by the learned Principal Civil Judge (Junior Division), Srikalahasti, in I.A. No. 1473 of 2016 in O.S. No. 95 of 2011, dismissing the petitioners' application to club O.S. No. 95 of 2011 with O.S. No. 80 of 2016.

2. Heard the learned counsel for the petitioners and the learned counsel for the respondent.

3. The petitioners are the defendants in O.S. No. 95 of 2011, and the respondent is the plaintiff therein.

**Brief facts of the case:**

4. The petitioners, who are the defendants in O.S. No. 95 of 2011, filed an application seeking to club that suit with O.S. No. 80 of 2016. They stated that the respondent had filed O.S. No. 95 of 2011 seeking a permanent injunction against them in respect of the plaint 'B' Schedule property in Survey No. 250/2. The respondent claimed to have purchased the property from Yachamaneni Subba Lakshmamma, Yachamaneni Bhageswari, V. Leelavathi and Jayachandra.

5. The petitioners/defendants, on the other hand, claim the 'B' Schedule property under a registered sale deed dated 01.10.2015, allegedly executed by the legal heirs of Subbarama Naidu, son of late Venkata Subba Naidu. According to the petitioners, the respondent had earlier filed O.S. No. 95 of 2011 on the basis of a registered sale deed despite having no title to, or possession of, the suit schedule property.

6. The third defendant, Sri Ravalla Subha Chandra, allegedly purchased the petitioners' 'B' Schedule property and filed O.S. No. 80 of 2016 before the same Court, seeking a declaration in respect of the property and a consequential permanent injunction. The petitioners contend that the third defendant purchased the property from its lawful owner after the institution of O.S. No. 95 of 2011. As both suits concern the same property, the petitioners sought to have them clubbed and adjudicated together.

7. The respondent filed a counter denying the averments in the affidavit. He contended that the evidence in O.S. No. 95 of 2011 had been completed, whereas evidence in O.S. No. 80 of 2016 had not yet commenced. He alleged that the latter suit had been filed with an oblique motive. Since the evidence on both sides in O.S. No. 95 of 2011 had been completed and the suit had reached the final stage, he argued that clubbing the suits would delay its disposal. He therefore sought dismissal of the application on the ground that the suits were at different stages.

8. After hearing both sides, the learned Judge dismissed the application, observing that the two suits were at different stages.

9. Aggrieved by the said order, the petitioners have filed the present Civil Revision Petition.

**Arguments:**

10. Learned counsel for the petitioners submitted that both suits concern the same property, namely, the 'B' Schedule property in O.S. No. 95 of 2011 and the corresponding property in O.S. No. 80 of 2016. He contended that separate adjudication could lead to multiplicity of proceedings and conflicting judgments. According to him, the dispute would not be effectively resolved unless both suits were tried together and decided on merits. He submitted that the learned Judge failed to consider this aspect and erroneously dismissed the application.

11. Learned counsel for the respondent opposed the application for clubbing on the ground that the suits were at different stages. He submitted that O.S. No. 80 of 2016, filed by the third petitioner, was instituted later and would require considerable time for the recording of evidence. The respondent's claim to ownership in O.S. No. 95 of 2011, therefore, should not be held up. He further contended that the parties to the suits were different and that no prejudice would be caused. He accordingly sought dismissal of the Civil Revision Petition.

12. The 'B' Schedule property in O.S. No. 95 of 2011 and the property described in O.S. No. 80 of 2016 are one and the same, and both sides claim rights over that property on the basis of documents.

13. I have heard the learned counsel for the petitioners and the learned counsel for the respondent and perused the record.

**Analysis:**

14. The present revision arises from the order dated 18.08.2017, by which the learned Judge dismissed I.A. No. 1473 of 2016 in O.S. No. 95 of 2011. The application sought to club O.S. No. 95 of 2011, filed by the respondent, with O.S. No. 80 of 2016, filed by the petitioners' third defendant.

15. The impugned order of the learned Judge is extracted hereunder:

> "****
>
> Heard the both. This matter is pertaining to the pre-2011 and this suit at the stage of arguments and clubbing of this matter with O.S.80/2016 may cause delay and both matters are not at the same stage. Hence, this petition is closed in the interest of justice.
>
> ****"

16. The impugned order does not set out the parties' contentions or disclose cogent reasons. The learned Judge observed that one suit had reached the stage of arguments, while the other was at an initial

stage, and that clubbing them might delay the older suit instituted in 2011. However, the learned Judge did not examine the commonality between the suits or consider whether their consolidation was necessary. The application was dismissed solely because the suits were at different stages.

17. The fact that the suits are at different stages, by itself, is not a sufficient ground to reject an application for consolidation. The Court must examine the common questions arising for consideration and the nature of the subject matter involved.

**Legal Position:**

18. It is appropriate to refer to the principles laid down by the Hon'ble Supreme Court, this Court and other High Courts on the consolidation of suits.

**Hon'ble Apex Court:**

19. In **B. Santoshamma v. D. Sarala**[1], the Hon'ble Supreme Court held that suits may be clubbed for hearing and disposal by a common judgment for practical convenience. Such clubbing does not merge the suits into a single action; each suit retains its separate identity. The object is to save time and costs, avoid repetition of proceedings and prevent conflicting judgments. Paragraph 91 is extracted below:

> "**91**. Since we have upheld the dismissal of Suit No. 92 of 1993 filed by the appellant against Pratap Reddy, it is not really necessary to go into the question of whether the said suit was barred under Order 2 Rule 2 of the Civil Procedure Code as contended by Mr Navare. It is true that, the clubbing of suits for hearing them together and disposal thereof by a common judgment and order is for practical reasons. Such clubbing together of the suits does not convert the suits into one action as argued by Mr Navare. The suits retain their separate identity as held in Mahalaxmi Coop. Housing Society Ltd. v. Ashabhai

[1] (2020) 19 SCC 80

> Atmaram Patel [Mahalaxmi Coop. Housing Society Ltd. v. Ashabhai Atmaram Patel, (2013) 4 SCC 404, para 41 : (2013) 2 SCC (Civ) 636] . The clubbing together is done for convenience, inter alia, to save time, costs, repetition of procedures and to avoid conflicting judgments."

20. In **Kazimunnisa v. Zakia Sultana** [2], the Hon'ble Supreme Court held as follows:

> "**26**. First, we find that the trial of the two cases before the Special Court was not satisfactory inasmuch as when admittedly two LGCs (Nos. 41 of 1994 and 50 of 2004) arising between the same parties and in relation to the same piece of suit land were filed for grant of identical reliefs under the Act then, in our view, both the cases should have been clubbed together for their disposal on merits in accordance with law to avoid any conflicting decision in both the cases.
>
> **27**. It was more so when both the cases were capable of being clubbed together because both were pending though filed one after the other, neither the parties nor the courts below took note of this with the result, the same resulted in passing two conflicting orders—one was decreed and the other suffered dismissal. This recourse adopted by the court below caused prejudice to the parties and, especially, to the party who lost the case.
>
> **28**. Indeed, in our view, this was an appropriate case where the provisions of Order 2 Rule 3 of the Code, which deals with joinder of causes of action, could have been resorted to by the Court suo motu for clubbing the two cases as the facts involved in both the cases satisfied the attributes of Order 2 Rule 3 of the Code."

21. In **Chitivalasa Jute Mills v. Jaypee Rewa Cement**[3], the Hon'ble Supreme Court held that, although the Code of Civil Procedure does not expressly provide for consolidation of suits, the Court may order consolidation in exercise of its inherent powers under Section 151 CPC. Unless expressly prohibited, the civil Court may pass such

[2] (2018) 11 SCC 208
[3] (2004) 3 SCC 85

orders as are necessary to secure the ends of justice or prevent abuse of its process. Paragraph 12 is extracted below:

> "**12.** The two suits ought not to be tried separately. Once the suit at Rewa has reached the court at Visakhapatnam, the two suits shall be consolidated for the purpose of trial and decision. The trial court may frame consolidated issues. The Code of Civil Procedure does not specifically speak of consolidation of suits but the same can be done under the inherent powers of the court flowing from Section 151 CPC. Unless specifically prohibited, the civil court has inherent power to make such orders as may be necessary for the ends of justice or to prevent abuse of the process of the court. Consolidation of suits is ordered for meeting the ends of justice as it saves the parties from multiplicity of proceedings, delay and expenses. Complete or even substantial and sufficient similarity of the issues arising for decision in two suits enables the two suits being consolidated for trial and decision. The parties are relieved of the need of adducing the same or similar documentary and oral evidence twice over in the two suits at two different trials. The evidence having been recorded, common arguments need to be addressed followed by one common judgment. However, as the suits are two, the court may, based on the common judgment, draw two different decrees or one common decree to be placed on the record of the two suits. This is how the trial court at Visakhapatnam shall proceed consequent upon this order of transfer of suit from Rewa to the court at Visakhapatnam."

**High Court of Andhra Pradesh:**

22. In **Boddula Rajesham v. Mahmooda Begum and Others**[4], this Court observed as follows:

> **"7.** Admittedly the subject-matter of both the suits is one and the same and the parties to both the suits are also common. As a matter of fact, cause of action for O.S. No. 147 of 2006 arose during the pendency of O.S. No. 56 of 2000 on account of the alleged dispossession. However, the request of the defendant/Revision Petitioner for clubbing the suits for joint trial was rejected by the Court below only on the ground that

[4] 2007 (3) ALT 416

> since O.S. No. 56 of 2000 is one of the identified matters in which the trial was already closed in the year 2005, the clubbing of the suits would unnecessarily delay the proceedings.
>
> **8.** Having considered the entire material on record and having regard to the fact that the parties to both the suits are common and the suit schedule property is also one and the same, I am of the opinion that it would be appropriate to decide both the matters together to avoid not only conflicting decisions but also to avoid multiplicity of proceedings. It is true that the disposal of O.S. No. 56 of 2000 would be delayed, but clubbing of both the suits is essential to decide the rival claims effectively and it cannot be said that any prejudice would be caused to any of the parties by adopting such procedure."

23. In **Nalamati Latchanna v. Masina Sriramulu**[5], the High Court of Andhra Pradesh held that consolidation may be ordered where the parties and issues are common or substantially similar, in order to avoid multiplicity of proceedings and the possibility of conflicting decisions. However, consolidation may not be appropriate where suits instituted by the same plaintiff arise from distinct and independent transactions and no possibility of conflicting decisions exists.

24. In **Mangali Satukuri Anjaiah v. Nethi Rajaiah**[6], the High Court of Andhra Pradesh held that the Court's power under Section 151 CPC to consolidate suits, club them or direct a joint trial cannot be doubted.

25. In **M/s Mahaveer Enterprises v. NSOFT India Services Pvt. Ltd.**[7], the High Court of Karnataka held that, although clubbing suits is a matter of convenience, the Court has ample power under Section 151 CPC to avoid separate trials and potentially inconsistent judgments.

26. In **Royal Bank of Scotland Plc v. Impressions**[8], the Calcutta High Court held that even where the issues are not identical, it may be just

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[5] 1993 (1) ALT 26
[6] 2002 SCC OnLine AP 128
[7] order dated 28.07.2022 in W.P.No.13459 of 2022
[8] 2018 SCC OnLine Cal 4497

and convenient to try suits together if the same evidence and witnesses are required to prove the respective issues. Such a course saves time and expense. The Court has inherent power under Section 151 CPC to direct consolidation.

27. In **Anurag & Co. v. Additional District Judge**[9], the Rajasthan High Court laid down certain considerations relevant to the consolidation of suits. Paragraph 28 is extracted below:

> "**28**. The upshot of aforesaid discussion of judgment is that some of the relevant circumstances for consolidating the civil suits are as follows:-
>
> (i) The parties are substantially the same.
>
> (ii) Complete or even substantial and sufficient similarity of the issues arising for decision in two suits.
>
> (iii) Common evidence is to be led, if parties are substantially the same; if only one party is common, then burden of proof of facts in issue will be on different persons and no common evidence can be led.
>
> (iv) The consolidation in the aforesaid circumstances will fulfil the object of consolidation. Any other circumstance may be relevant; then also the object of consolidation will be decisive for passing appropriate order."

28. In **Nand Kishore v. Ram Dev**[10], the Punjab and Haryana High Court, while considering the power under Section 151 CPC, held that consolidation may be necessary to do complete justice where the subject matter of two suits is identical and separate trials may result in contradictory judgments.

29. Consolidation of suits serves the ends of justice by reducing multiplicity of proceedings, delay and expense. Where the issues arising for decision are wholly or substantially similar, the suits may be consolidated, thereby avoiding the need to adduce the same or similar oral and documentary evidence in separate trials.

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[9] AIR 2006 Raj 119
[10] 2002 SCC OnLine P&H 274

30. After recording the evidence, the Court may hear common arguments and deliver a common judgment. Since the suits retain their separate identities, the Court may draw separate decrees or, where appropriate, one common decree for placement on the records of both suits.

31. The principles emerging from the above decisions may be summarised as follows:

    i. The Code of Civil Procedure, 1908, contains no specific provision expressly providing for consolidation of suits and a joint trial; consolidation is adopted as a matter of convenience and in the interests of justice.
    ii. The Court may order consolidation in exercise of its inherent powers under Section 151 CPC.
    iii. Consolidation may prevent multiplicity of proceedings and conflicting judgments and may save time and expense.
    iv. One of the principal objects of consolidation is to avoid conflicting judgments.
    v. Where the causes of action and issues in two or more suits are substantially similar, the Court may exercise its power under Section 151 CPC to consolidate them.

32. The Court may also consider the principles stated in **Chitivalasa Jute Mills**'s case, including the following:

    i. The cause of action relied on by one party for the relief sought in one suit forms the basis of the defence in the other suit.
    ii. The issues arising for decision in the suits are substantially common.
    iii. The same oral and documentary evidence is required to determine the questions of fact and law arising in both suits.

33. The Hon'ble Supreme Court observed that separate trials may result in duplication of evidence and may lead to two judgments containing inconsistent findings.

34. In addition, the Court may consider the following circumstances:

i. Whether the parties to the suits are substantially the same.
ii. Whether the cause of action in the later suit arises from the dispute involved in the earlier suit.
iii. The subject matter of the suits and the rights and claims asserted by the parties.
iv. Whether the issues arising for decision are common.
v. Whether deciding one suit separately may affect or defeat the claims in the other suit without affording the affected party an effective opportunity to establish its case.

35. These considerations are illustrative. The Court must decide each application having regard to the facts and circumstances of the case.

36. In the light of the above legal position, it is necessary to consider the facts of the present case.

37. Two suits are pending before the same Court. O.S. No. 95 of 2011 was filed by the respondent against the petitioners, while O.S. No. 80 of 2016 was filed by Revalla Subha Chandra against Kondala Venkataiah and Setti Munaiah.

38. In O.S. No. 95 of 2011, the plaintiff seeks to restrain the petitioners from interfering with his possession of the plaint 'B' Schedule property.

**I. Parties in both suits**

| **Particulars** | **O.S.No.95 of 2011** | **O.S.No.80 of 2016** |
|---|---|---|
| Plaintiff | Kondala Venkataiah | Revalla Subha Chandra |
| Defendant No.1 | Revalla Veeraswamy Naidu | Kondala Venkataiah |
| Defendant No.2 | Revalla Nagabhushanamma | Setti Munaiah |
| Defendant No.3 | Revalla Subha Chandra | — |

## II. Schedule Properties and Boundaries

| Details | **O.S.No.95 of 2011 – Plaint A** | **O.S.No.95 of 2011 – Plaint B** | **O.S.No.80 of 2016 – Item No.1** | **O.S.No.80 of 2016 – Item No.2** |
|---|---|---|---|---|
| Description | Terraced house, old Door No.2-3, new Door No.2-86, Assessment No.456, B.C. Colony | Chittoor District, Buchinaidu Kandriga Village, Vacant site; used for tethering cattle, manure, hayrick and agricultural implements | Survey No. 250/2; Site adjacent to Item No.2 | Survey No. 250/2; Vacant site claimed to correspond to Plaint B of O.S.No.95 of 2011 |

39. The property common to both suits is the vacant site described as the ‘B’ Schedule property in O.S. No. 95 of 2011.

40. In O.S. No. 95 of 2011, the plaintiff/respondent claims title to the property on the basis of a registered sale deed allegedly executed in his favour on 05.09.2005 by Yachamaneni Subba Lakshmamma, her daughters Yachamaneni Bhageswari and V. Leelavathi, and her son Jayachandra. He states that he constructed a terraced house on the property, described as the ‘A’ Schedule property. According to him, the ‘B’ Schedule vacant site is appurtenant to the house and is used for tethering cattle, storing manure and keeping hay for cattle.

41. The respondent states that he could not construct a compound wall around the ‘B’ Schedule vacant site. He claims to have been in possession of the ‘A’ and ‘B’ Schedule properties since purchasing them in 2005. According to him, neighbouring owners who had no right or title began interfering with his possession of the ‘B’ Schedule property when he attempted to erect a compound wall. He therefore filed the suit for a permanent injunction.

42. The third petitioner, who is the plaintiff in O.S. No. 80 of 2016, claims that the vacant site described as the ‘B’ Schedule property in O.S. No. 95 of 2011 belongs to the petitioners. It is pleaded that the petitioners’ family owns a house site in Survey No. 250/1, purchased by the father of the third petitioner, namely, the first petitioner, from Kalathuru Gunnaiah under a sale letter dated 30.09.1986.

43. It is further pleaded that the first petitioner occupied the second item of the plaint schedule and used it for tethering and maintaining cattle. Certain persons subsequently claimed title to Items 1 and 2 of the schedule property, following which the first petitioner allegedly purchased those items under an oral sale in 1987. Thereafter, the respondent filed O.S. No. 95 of 2011 for a permanent injunction, disputing the petitioners’ claim. The pleas concerning the sale letter, the alleged oral sale and the subsequent registration of a sale deed during the pendency of O.S. No. 95 of 2011 are matters for appreciation at trial.

44. The above facts indicate that the parties are neighbours and have houses in the adjoining areas. The disputed vacant site lies between their properties, and both sides assert rights over it. In O.S. No. 95 of 2011, the respondent alleges that the petitioners are interfering with his possession of the ‘B’ Schedule property. In O.S. No. 80 of 2016, the petitioners allege that the same property belongs to them and that the respondent is interfering with their possession. Thus, both sides claim rights over the same vacant site.

45. Although the parties to the two suits are not identical in every respect, the contesting parties are substantially the same, and both sides assert rights over the same vacant site. In O.S. No. 95 of 2011, the cause of action is the alleged interference by the petitioners with the respondent’s possession. In O.S. No. 80 of 2016, the cause of action is the alleged interference by the respondent with the

petitioners' possession of the same site, arising in the background of O.S. No. 95 of 2011.

46. These circumstances indicate that the subject matter of both suits is substantially common. The documents relied on by the parties and the rival claims arising from them will require consideration in both suits. Both proceedings concern competing claims over the same vacant site.

47. The learned Judge did not discuss these aspects and dismissed the application because the suits were at different stages. Though one suit had reached an advanced stage, that circumstance did not relieve the Court of its responsibility to consider the dispute in its entirety.

48. Both suits are pending before the same Court, and the later suit specifically refers to O.S. No. 95 of 2011. The causes of action and issues therefore appear to be interconnected, and the learned Judge ought to have considered that circumstance. Although clubbing the later suit may delay the disposal of O.S. No. 95 of 2011, that fact alone does not preclude the Court from exercising its power to consolidate the suits.

49. While deciding O.S. No. 95 of 2011, the trial Court would have to examine the parties' asserted rights over the vacant site on the basis of their respective documents. A decision in one suit may materially affect the parties' rights in the other and may effectively determine interconnected claims without affording the parties an opportunity to have those claims adjudicated together. Separate trials may also result in conflicting findings.

50. The Court may take into account that one suit has reached an advanced stage and that the application for consolidation was made later. However, the need for speedy disposal cannot, by itself, override the duty to do substantial justice. The Court must consider an

application for consolidation on the facts and circumstances of the particular case, keeping the ultimate object of substantial justice in view.

51. In the present case, both parties assert rights over the same disputed vacant site. The causes of action and the evidence appear to be substantially interconnected. The following circumstances favour consolidation:

(i) The cause of action in the later suit arose against the background of the dispute already raised in O.S. No. 95 of 2011.

(ii) Both suits concern the same vacant site, over which the parties assert rights under their respective documents.

(iii) Determination of the parties' rights would require consideration of documents and witnesses relating to the suit schedule properties.

(iv) The contesting parties are substantially the same.

(v) The parties claim through persons who are alleged to be common owners of the schedule property.

(vi) Separate trials may result in conflicting findings concerning the same disputed property and may affect the adjudication of the other suit.

52. The learned Judge ought to have considered these aspects and the applicable legal principles and passed a reasoned order. As the impugned order does not disclose reasons for rejecting the application, it is liable to be set aside.

**Conclusion:**

53. Applying the above legal principles to the facts of the present case, I am of the view that the suits require consolidation. The mere fact that one suit has reached an advanced stage is not sufficient to reject consolidation when the subject matter and issues are substantially common. The Court may use the procedural powers available to it to expedite the joint proceedings; it should not deny substantial justice solely on the ground of delay.

54. For the reasons stated above, the impugned order, which does not consider the rival claims or apply the relevant legal principles, cannot be sustained. This Court finds a material irregularity warranting interference under Section 115 of the Code of Civil Procedure. The impugned order is therefore liable to be set aside.

**Result:**

55. In the result, the Civil Revision Petition is allowed. The order dated 18.08.2017 passed in I.A. No. 1473 of 2016 in O.S. No. 95 of 2011 on the file of the learned Principal Civil Judge (Junior Division), Srikalahasti, is set aside, and I.A. No. 1473 of 2016 is allowed. O.S. No. 95 of 2011 and O.S. No. 80 of 2016, pending before the said Court, shall stand consolidated and shall be tried together.

56. The learned trial Judge shall proceed with the joint trial of both suits and dispose of them as expeditiously as possible, in accordance with law.

There shall be no order as to costs.

Consequently, any miscellaneous applications pending in this revision shall stand closed.

Any interim orders granted in this revision stand vacated.

**PURUSHOTTAM KUMAR CHINTALAPUDI, J**

Dt: 15.10.2026
DSV

Whether the order is:

| | | | |
|---|---|---|---|
| Speaking | | Reasoned | √ |
| Reportable | √ | Non-Reportable | |

**51**

**HONOURABLE SRI JUSTICE PURUSHOTTAM KUMAR CHINTALAPUDI**

**CIVIL REVISION PETITION NO: 4452 OF 2017**

Dated: 15.10.2026
DSV