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APHC010368612026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3331]**
(Special Original Jurisdiction)

FRIDAY, THE 16th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

CIVIL REVISION PETITION NO: 1996/2026

Between:

1. SK ALI MURTHUZA, S/O SK.JAMAL SAHEB,AGED 41 YEARS,DR.NO.16-3-295, 2ND STREET,RAMAMURTHY NAGAR, NELLORE-524001
2. BEEDA RAVINDRA, S/O RANGA RAO,AGED ABOUT 54 YEARS,R/O ISKAPALLI-524315,ALLUR M,NELLORE
3. GUMMADI SAL RAHUL, S/O RAGHU,AGED 29 YEARS,R/O ISKAPALLI-524315ALLUR M, NELLORE DT.

...PETITIONER(S)

AND

1. GRIDDALURU BHARAT, S/O GRIDDALURU SUBBARAO AGED ABOUT 35 YEARS, REP., BY GPAKANDALA VANI DR.NO.20/1075/7, R.K. NAGAR,KADAPA-516001
2. THE COMMISSIONER, NELLORE MUNICIPAL CORPORATION DARGAMITTA, NELLORE-524004.

3. THE TOWN SURVEYOR TOWN AND COUNTRY PLANNING DEPT, O/0 NELLORE MUNICIPAL CORPORATION DARGAMITTA, NELLORE-524004

...RESPONDENT(S):

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 the order and Decree Dt.10.07.2026 passed in LA No.286of 2026 in O.S No.09/2026 by the learned Vllth Addl., Dt., Judge, Guduru,

IA NO: 1 OF 2026

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 dispense with the Certified Copy of the order/decree dated 10.07.2026, passed in LA No.286 of 2026 in O.S No.09/2026, on the file of the Vllth Addl., Dt., Judge, Guduru in the above C.R.P. and pass

IA NO: 2 OF 2026

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 grant stay of all further proceedings in O.S No.09/2026 on the file of the Vllth Addl., Dt., Judge, pending CRP and pass

Counsel for the Petitioner(S):

1. PILLUTLA SAI AVINASH

Counsel for the Respondent(S):

1. Y L SIVA KALPANA REDDY

The Court made the following:

ORDER

Heard Sri V.S.R. Anjaneyulu, learned Senior Counsel, assisted by Sri P. Sai Avinash, learned counsel for the petitioners and Smt. Y.L. Siva Kalpana Reddy, learned counsel for respondent No.1.

2. The defendants in O.S.No.09 of 2026 filed the above Civil Revision Petition (revision), against the order dated 10.07.2026 (07.07.2026) passed in I.A.No.286 of 2026 in O.S.No.09 of 2026 on the file of the learned VII Additional District Judge, Guduru.

3. Respondent No.1 herein, being the plaintiff, filed suit O.S.No.52 of 2019 on the file of the I Additional District Judge, Nellore, against the petitioners herein to declare the plaintiff as the absolute owner of the suit schedule property and for consequential permanent injunction.

4. Defendants 1 and 2 filed written statement and have been contesting the suit. Subsequently, the suit was transferred to the IV Additional District Judge, Nellore. The defendants filed interlocutory applications one such application is I.A.No.469 of 2025 under Order XI Rule 14 read with Section 151 of the Code of Civil Procedure, 1908 (C.P.C.) to direct respondents 1 and 2 therein to produce the alleged approved layout plan vide PR.No.6/1970, dated 02.10.1970 along with its layout approval proceedings, physical location survey report in respect of alleged plot numbers 177, 178, 193 and 193A, possession certificate, if any issued to the plaintiff.

5. Thereafter, the suit was transferred to VII Additional District Judge, Gudur and renumbered as O.S.No.9 of 2026. I.A.Nos.469 of 2025, 466 of 2025, 470 of 2025 and 471 of 2025 were renumbered as I.A.Nos.282 of 2026, 283 of 2026, 285 of 2026 and 286 of 2026. As per the case information status filed with the revision, the suit was listed on 03.07.2026 and adjourned to 07.07.2026. Learned VII Additional District Judge, Gudur, dismissed I.A.286 of 2026 on 07.07.2026. Aggrieved by the same, defendants 1 to 3 filed the above revision.

6. As per the case status, the following proceedings were recorded on 07.07.2026 and 10.07.2026:

“07.07.2026

I.A.No.286 of 2026 is dismissed. PW1 present. Defendants counsel not reported ready. PW1 is a medical professional at Kadapa. As such right of defendants to cross examination of PW1 is forfeited. At request of plaintiff, for further evidence, call on 10.07.2026.”

10.07.2026:

6 pending IAs are dismissed. PW2 present. PW2 filed chief affidavit. No representation for defendants. Examined PW2 on oath. Cross of PW2 is recorded as nil. Reported no further evidence by plaintiff. For defendant evidence, call on 13.07.2026.”

7. On 13.07.2026, at request of the defendant, it was adjourned to 15.07.2026, finally. The proceeding recorded on 15.07.2026 reads thus:

“Costs not paid by defendants in IAs. Defendants counsel filed IA, check and putup. Defendants reported not ready inspite of sufficient opportunities. Hence, evidence of defendants is recorded as nil. It is also seen from the docket that defendants failed to cross examine Pws1 and 2. For arguments, call o n 17.07.2026.”

8. As stated supra, the revision was filed on 16.07.2026 against the order dated 07.07.2026 in I.A.No.286 of 2026. The revision was listed on 20.07.2026 and the Court passed the following order:

“Smt. Y.L. Siva Kalpana Reddy, learned counsel, submitted that she filed Vakalat on behalf of respondent No.1 today vide U.S.R.No.77167 of 2026.

Assailing the docket order dated 10.07.2026 passed in I.A.No.286 of 2026 in O.S.No.9 of 2026 on the file of the learned VII Addl. District Judge, Gudur, the above revision petition was filed.

Learned counsel for the petitioner would submit that the defendants in the suit filed I.A.No.286 of 2026 under Order 11 Rule 14 read with Section 151 of CPC, to direct the respondents to produce the approved layout plan vide PR.No.6/1970, dated 02.10.1970, etc. The Trial Court, by order dated 07.07.2026 dismissed the application without assigning reasons. A copy of the application was filed on 07.07.2026 to furnish the copy of order dated 07.07.2026. However, the copy of the order has not been furnished so far. Thereafter, other interlocutory applications were dismissed on 10.07.2026. The suit was posted for judgment today.

Given the facts and circumstances of the case, there shall be stay of all further proceedings in O.S.No.9 of 2026 on the file of the learned VII Addl. District Judge, Gudur, for two (02) weeks, **if the Trial Court has not delivered the judgment by this time.**

List the matter on 23.07.2026 in the Adjourned Motion List.

Print the name of Smt. Y.L. Siva Kalpana Reddy, learned counsel for respondent No.1, in the cause list.“

9. Thereafter, the revision was listed on 23.07.2026. Sri V.S.R. Anjaneyulu, learned Senior Counsel, submitted that the judgment in the suit was pronounced on 20.07.2026. Smt. Y.L. Siva Kalpana Reddy, learned counsel for respondent No. 1, submitted that the interim order was passed at 11:45 a.m. on 20.07.2026 granting stay of all further proceedings in the suit. However, before granting the interim order, the trial court pronounced judgment at 11:00 a.m., during the 'call work'.

The revision was adjourned at the request of learned counsel for the petitioners to file an affidavit. Thereafter, the revision was listed on 06.08.2026. However, there was no representation on behalf of the petitioners, and the revision was adjourned to 26.08.2026.

The revision was taken up on 26.08.2026; learned Senior Counsel for the petitioners sought time to get instructions as to whether any petition was filed in the suit under Order IX Rule 13 C.P.C. Hence, the revision was adjourned.

10. On 29.09.2026, when the matter was taken up, learned Senior Counsel submitted that certain applications were filed before the trial Court. However, they were returned.

11. Along with the revision, two interlocutory applications were filed. I.A.No.1 of 2026 is filed to dispense with filing the certified copy of order dated 07.07.2026 in I.A.No.286 of 2026 in O.S.No.9 of 2026. I.A.No.2 is filed seeking stay of all further proceedings in I.A.No.9 of 2026.

12. Thus, as seen from the sequence of events, this Court passed an interim order on 20.07.2026 at 11:45 a.m. However, by that time, the trial court pronounced its judgment at 11:00 a.m. Since the trial Court pronounced the judgment at 11:00 a.m., even before a stay was granted by this Court and the petitioners filed the necessary applications before the trial court, nothing

survives for adjudication in the revision. The statement made by the learned senior counsel that the revision petitioners made certain interlocutory applications before the Trial Court is made part of the record. At this juncture, this court is not adjudicating the validity or otherwise of the judgment and decree in the suit.

13. Since the suit itself was decreed even before an interim order was granted and the revision filed before this court arises out of an order dated 07.07.2026 in I.A.No.286 of 2026, as stated supra, no further adjudication is required in the revision.

14. Accordingly, this Civil Revision Petition is closed. No costs.

As a sequel, all the pending miscellaneous applications shall stand closed.

JUSTICE SUBBA REDDY SATTI

Date : 16.10.2026

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