APHC010175082026

**IN THE HIGH COURT OF ANDHRA PRADESH**
**AT AMARAVATI [3330]**
**(Special Original Jurisdiction)**

TUESDAY, THE 11th DAY OF AUGUST 2026

**PRESENT**

**THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO**

**CIVIL REVISION PETITION Nos. 1030/2026 AND 1316 OF 2026**

**C.R.P.No.1030 of 2026**

**BETWEEN:**

1. NUKANABOINA MASTHANAIAH, S/o. MASTHANAIAH, AGED ABOUT 33 YEARS. AGRICULTURE R/o. BHUMAYAPALLI VILLAGE, KHAJIPETA MANDAL, Y.S.R. KADAPA DISTRICT-516203.

**...PETITIONER**

**AND**

1. N JAYARAMUDU, S/o. MASTHANAIAH, AGED ABOUT 30 YEARS. AGRICULTURE, R/o. BHAGAYANAGARAM VILLAGE, MYDUKUR MANDAL, Y.S.R. KADAPA DISTRICT- 516172.
2. C NAGA MALLAMMA, W/o. CHAKKA VENKATA RAMANA, AGED ABOUT 40 YEARS, R/o. APPARAO PALLE VILLAGE, PEDDA CHEPPALI POST, KAMALAPURAM MANDAL, Y.S.R. KADAPA DISTRICT- 516289.
3. YELLIBOINA JAYA LAKSHUMMA, W/O YELLIBOINA PAPAIAH, AGED ABOUT 35 YEARS, R/o. JANDLAVARAM VILLAGE, MYDUKUR MANDAL, Y.S.R. KADAPA DISTRICT- 516172.

**...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 SET ASIDE the common order dt.27-01-2026 passed in I.A.No.187/2025 in O.S.No.257/2014 on the file of Honble Additional Civil Judge (Senior Division), Kadapa and allow the same and pass such other order or orders.

**Counsel for the Petitioner:**

1. A SYAM SUNDAR REDDY

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

**The Court made the following:**

**COMMON ORDER:**

The Civil Revision Petition 1030 of 2026 is filed to set aside the common order dated 27.01.2026 passed in I.A. No 187 of 2025 in O.S. No 257 of 2014 on the file of Honble Additional Civil Judge (Senior Division) Kadapa and to allow the I.A. 187 of 2025 filed for reopen of the suit.

2. The Civil Revision Petition 1316 of 2026 is filed to set aside the common order dt 27.01.2026 passed in I A No 188 of 2025 in O.S. No 257 of 2014 on the file of Honble Additional Civil Judge (Senior Division) Kadapa and to allow the I.A. 188 of 2025 filed to send the document for expert opinion regarding the disputed thumb impression of the executant on the Ex A7 Will dated 28.02.2013 under section 45 of Indian Evidence Act.

3. The applications I.A. No 187 of 2025 and I.A. No 188 of 2025 that were filed by the petitioner plaintiff to reopen and to send the documents for expert opinion respectively were dismissed by common order dated 27.01.2026 by the learned trial court judge *interalia* observing that the petitioner previously filed similar application vide I.A. 70 of 2022 and the same was allowed and expert has given the opinion that the signature on the document Ex A 7 unfit for comparison due to lack of clear ridge characteristics. The learned

trial court judge has further observed that the present application is the 3rd application the petitioner herein has filed two I.A.'s for the identical relief vide I.A. 70 of 2022 and I.A. No's 67 of 2023 in I.A. No: 67 of 2023 court has called for the document from Sub-Registrar Office and the expert is unable to give his opinion and the execution of the Will has to be proved by examining the attestors of the Will under section 63 of Indian Succession Act and 68 of the Indian Evidence Act corresponding to Section 57 of Bhartiya Sakshaya Adhinyam 2023 once the petitioner has admitted that the attestors of the Will were examined and the expert opinion is not conclusive proof, present applications are filed only to dragon the suit. The suit had already been reopened twice, and the applications were dismissed accordingly.

4. Challenging the common order dated 27.01.2026 of I.A. No 187 of 2025 and I.A. No 188 of 2025 the present Civil Revision Petitions are filed that trial court should have been given one opportunity for doing substantial justice.

5. Upon careful review of the impugned common order dated 27.01.2026, the trial Court has rightly dismissed the two interlocutory applications. Given that the expert has opined that both the original and the certified copies were unfit for comparison due to lack of clear ridge characteristics, no purpose would be served, once again sending the

document for expert opinion. Whatever, the grounds that raised by the petitioner's counsel in these Civil Revision Petitions lack merit.

6. Accordingly, both Revision Petitions are dismissed. However, no order as to costs.

As a sequel, interlocutory applications, if any, pending in these civil revision petitions shall stand closed.

**JUSTICE TARLADA RAJASEKHAR RAO**

Date: 11.08.2026

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**THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO**

**C.R.P.Nos. 1030 and 1316 OF 2026**

**Date: 11-08-2026**

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