APHC010408822026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3208]
(Special Original Jurisdiction)

FRIDAY, THE 14th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

CIVIL REVISION PETITION NOs: 2183 and 2176 of 2026

Between:

1. GUNDA PITCHAIAH, ,S/O. NAGABHUSHANAM, AGED ABOUT 66 YEARS, HINDU,LIFETIME MEMBER OF TENALI SREE VASAVI KANYKAPARAMESWARI DEVASTHANAM SATRAM COMMITTEE,LIFETIME MEMBERSHIP ID NO.318,R/O. DOOR NO.21-9-5, BHAGAVATULAVARI VEEDHI,RAMALINGESWARAPETA,TENALI - 522201.

...PETITIONER

AND

1. THATHA SRINIVASA RAO, ,S/O. VENKATESWARLU,AGED ABOUT 53 YEARS. BUSINESS,LIFETIME MEMBERSHIP ID NO.749,R/O. DOOR NO. 16-9-18, SHAROFF BAZAR, TENALI.
2. SREE VASAVI KANYAKA PARAMESWARI DEVASTTJANAM, TENALI SREE VASAVI KANYAKA PARAMESWARI DEVASTHANAM SATRAM COMMITTEE, REPRESENTED BY ITS AUTHORIZED PERSON, BOSE ROAD, TENALI - 522201.
3. NUKALA VENKATA VENUGOPALA RAO, , S/O. KOTESWARA RAO,PRESIDENT OF TENALI SREE VASAVI KANYAKA PARAMESWARI DEVASTHANAMSATRAM COMMITTEE, LIFETIME MEMBERSHIP ID NO.521,R/O. BURRIPALEM ROAD, JANDA CHETTU BAZAR, TENALI - 522201.
4. SADHU VENKATA SATYA NAGA PRATAP KUMAR, S/O. RAMAKRISHNA VARA PRASAD,ELECTION OFFICER OF

TENALI SREE VASAVI KANYAKA PARAMESWARIDEVASTHANAM SATRAM COMMITTEE, LIFETIME MEMBERSHIP ID NO.412,R/O. DOOR NO.22-10-3, PENDOTAVARIVEEDHI, KOTHAPET, TENALI - 5

5. VAKKALAGADDA GANGADHARA RAO, S/O. RAMAMOHANA RAO,IN-CHARGE SECRETARY OF TENALI SREE VASAVI KANYAKA PARAMESWARIDEVASTHANAM SATRAM COMMITTEE, LIFETIME MEMBERSHIP ID NO.844R/O. DOOR NO.2-33-80, LENIN ROAD,GANDHI NAGAR, TENALI - 522201.

6. PENDELA VENKATA RAO, ,S/O. KONDAIAH, AGED ABOUT 75 YEARSBUSINESS, R/O. MORRISPET, TENALI,LIFETIME MEMBERSHIP ID NO.50.

...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 toto set aside the order dated 08.07.2026 passed in I.A. No.435 of 2026in S.O.P. No.515 of 2026 on the file of the Court of the XI Additional District6Judge, Tenali, together with all consequential proceedings arising therefrom

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 suspend the operation of the order dated 08.07.2026 passed in I.A. No.435 of 2026 in S.O.P. No.515 of 2026, on the file of the Court of the XI Additional District Judge, Tenali, together with all consequential proceedings pursuant thereto, restraining the respondents from conducting or giving effect to any election for a three-year tenure to the Governing Body of the Society

Counsel for the Petitioner:

1. SUNKARA RAJENDRA PRASAD

Counsel for the Respondent(S):

1. P DURGA PRASAD

AND

Between:

1. GUNDA PITCHAIAH, S/O. NAGABHUSHANANI,AGED ABOUT 66 YEARS, HINDU,LIFETIME MEMBER OF TENALI SREE VASAVI KANYAKA PARAMESWARI DEVASTHANAM SATRAM COMMITTEE, LIFETIME MEMBERSHIP ID NO.318,R/O. DOOR NO.21-9-5, BHAGAVATULAVARI VEEDHI, RAMALINGESWARAPETA,

...PETITIONER

AND

1. SREE VASAVI KANYAKA PARAMESWARI DEVASTHANAM, TENALI SREE VASAVI KANYAKA PARAMESWARI DEVASTHANAM SATRAM COMMITTEE, REPRESENTED BY ITS AUTHORIZED PERSON, BOSE ROAD . TENALI -522201
2. NUKALA VENKATA VENUGOPALA RAO, S/O. KOTESWARA RAO, PRESIDENT OF TENALI SREE VASAVI KANYAKA PARAMESWARI DEVASTHANAM SATRAM COMMITTEE, LIFETIME MEMBERSHIP ID NO.521, R/O. BURRIPALEM ROAD, JANDA CHETTU BAZAR, TENALI - 522201
3. SADHU VENKATA SATYA NAGA PRATAP KUMAR, S/O. RAMAKRISHNA VARA PRASAD,ELECTION OFFICER OF TENALI SREE VASAVI KANYAKA PARAMESWARI DEVASTHANAM SATRAM COMMITTEE, LIFETIME MEMBERSHIP ID NO.412 R/O. DOOR NO.22-10-3, PENDOTAVARIVEEDHI, KOTHAPET, TENALI -522
4. VAKKALAGADDA GANGADHARA RAO, S/O. RAMAMOHANA RAO,IN-CHARGE SECRETARY OF TENALI SREE VASAVI KANYAKA PARAMESWARIDEVASTHANAM SATRAM COMMITTEE, LIFETIME MEMBERSHIP ID NO.844,R/O. DOOR NO.2-33-80, LENIN ROAD,GANDHI NAGAR, TENALI - 522201.
5. THATHA SRINIVASA RAO, S/O. VENKATESWARLU,AGED ABOUT 53 YEARS. BUSINESS,LIFETIME MEMBERSHIP ID NO.749,R/O. DOOR NO. 16-9-18, SHAROFF BAZAR,TENALI.
6. PENDELA VENKATA RAO, S/O. KONDAIAH, AGED ABOUT 75 YEARSBUSINESS, R/O.-MORRISPET, TENALI,LIFETIME

MEMBERSHIP ID NO.50.

...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 toFor these and other grounds that may be urged at the time of hearing of this Civil Revision Petition , Petitioner prays this Honble Court may be pleased to set aside the order dated 07.05.2026 passed in I.A. No.268 pf.2026 in S.O.P.No.515 of 2026 on the file of the Court of the XI Additional District Judge, Tenali,

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 suspend the operation of the Proceedings in Proceedings (M) Rc.No.485/2025/Magl.C1, dated 18.07.2026 on the file of the 3rd respondent, by directing 3`d respondent to reconsider the application of the petitioner, without looking into the rejection of application of the petitioner's husband Sri Manubarthi Brahmaji disposal of the above writ petition

Counsel for the Petitioner:

1. SUNKARA RAJENDRA PRASAD

Counsel for the Respondent(S):

1. SRIDEVI GANTA
2.
3. P DURGA PRASAD

The Court made the following orders:-

1. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents.

2. These Civil Revision Petitions are filed by the petitioner, aggrieved by the orders dated 07.05.2026 passed in I.A.No.268 of 2026 and dated 08.07.2026 passed in I.A.No.435 of 2026 in S.O.P.No.515 of 2026 by the learned XI Additional District Judge, Tenali. I.A.No.268 of 2026 was filed under Order XXXIX Rules 1 and 2 read with Section 151 of the Code of Civil Procedure, seeking to grant an ad-interim injunction restraining the respondents, their men, agents and others from conducting the elections scheduled to be held on 26.04.2026, pending disposal of the Original Petition. The petitioner also filed I.A.No.435 of 2026 seeking a direction to the Election Officer/3rd respondent to proceed with the election process and complete the same immediately.

3. The Court below had initially considered the matter and granted an interim injunction by order dated 01.04.2026. Subsequently, I.A.No.268 of 2026 was considered and disposed of by order dated 07.05.2026. The relevant observations of the Court below are extracted hereunder:-

> *19. The learned counsel for the petitioner submits that in view of the election notice for tenure of three years contrary to the bylaws, the petitioner Gunda Pitchaia has not filed his nomination though he is intending to contest.*
>
> *20. In view of the said facts, this court holds that the 3rd respondent Sri Sadhu Venkata Satya Naga Pratap Kumar can be continued to act as election officer and he*

> *is permitted to proceed with the election process by giving an opportunity to the petitioner to file his nomination within ten days from the date of this order. Further he is permitted to receive nominations from life members also if any life member having eligibility to file nominations come forward as a contesting candidate for any of the posts of the body and then proceed with the election process.*

4. The learned senior counsel for the petitioner has contended that the aforesaid orders passed by the Court below are contrary to the bye-laws. It is submitted that the Original Petition itself was filed questioning the conduct of elections contrary to Bye-law No.5, particularly insofar as the tenure of the elected body was prescribed as three years. It is submitted that, Bye-law No.5 specifically provides that elections to the General Body shall be conducted every year, i.e., for a tenure of one year. However, contrary to the said provision, the respondents issued an election notification prescribing a tenure of three years. He further submitted that, while considering I.A.No.268 of 2026, the Court below, instead of examining the issue in accordance with the bye-laws, permitted the respondents to proceed with the election process and also granted an opportunity to the petitioner to participate in the election by permitting acceptance of his nomination.

5. The learned senior counsel has further brought to the notice of this Court that respondent No.5 filed I.A.No.435 of 2026 seeking a direction to proceed with the election process in the Original Petition and complete the

same immediately. The said interlocutory application was disposed of by the Court below with the following observations:

> *The practice of holding elections for a one year tenure has lapsed and undisputedly the practice of holding elections for a period of three years commenced three decades ago. Hence, the election to be conducted for three years tenure.*
>
> *In view of facts and circumstances, this court inclined to direct the 4th respondent herein/election officer to proceed with the election process and complete it immediately it by the end of august 2020 for the tenure of three years.*

6. The learned senior counsel further submitted that, when the bye-laws specifically provide for a tenure of one year, the Court below ought not to have permitted the respondents, more particularly respondent Nos.3 and 5, to proceed with the elections for a term of three years. He further brought to the notice of this Court that certain interlocutory applications relating to the deletion and inclusion of members are still pending before the Court below. It is therefore contended that, without first disposing of the said interlocutory applications, permitting respondent Nos.3 and 4 to proceed with the election process would affect the rights and interests of the members concerned.

7. In reply to the said contention, the learned counsel appearing for the respondents, more particularly respondent No.5, has submitted that the interlocutory applications referred to by the learned senior counsel for the petitioner have not been disposed of and that the issue relating to the

deletion or inclusion of members is not the subject matter of challenge in the present Civil Revision Petitions. Hence, the said question does not arise for consideration in the present Civil Revision Petitions. It is further submitted that the Court below has rightly permitted the Election Officer to proceed with the election process and that no interference is warranted with the orders passed by the Court below.

8. Having considered the rival submissions and upon perusal of the material available on record, the grievance of the petitioner in these Civil Revision Petitions is primarily with regard to the tenure for which the elections are sought to be conducted.

9. In view of the contention raised by the learned senior counsel appearing for the petitioner, as per Bye-law No.5, the tenure of the elected body is only for a period of one year, whereas the election notification issued by the respondents prescribed a tenure of three years. The Court below, while disposing of I.A.Nos.268 and 435 of 2026, permitted the election process to proceed for a tenure of three years. However, when the bye-laws specifically prescribe the tenure of the elected body, the election process has to be conducted in accordance with the said bye-laws.

10. In the circumstances, this Court is of the considered opinion that the orders passed by the Court below in I.A.Nos.268 and 435 of 2026 require modification to the limited extent of the tenure for which the elections are to be conducted. Accordingly, the orders dated 07.05.2026 passed in

I.A.No.268 of 2026 and dated 08.07.2026 passed in I.A.No.435 of 2026 in S.O.P.No.515 of 2026 by the learned XI Additional District Judge, Tenali, are hereby modified to the extent indicated herein below.

11. Accordingly, both the Civil Revision Petitions are disposed of with a direction to the Election Officer/3rd respondent to proceed with the election process in accordance with the bye-laws. However, the elections shall be conducted for a tenure of one year and not for a tenure of three years. The Election Officer/3rd respondent is further directed to complete the entire election process within a period of two (02) months from the date of receipt of a copy of this order. There shall be no order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE D. RAMESH

14.08.2026
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THE HONOURABLE SRI JUSTICE D RAMESH

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C.R.P. No.2183 and 2176 of 2026

14.08.2026
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