

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY, THE EIGHTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

CIVIL REVISION PETITION NO: 2422 OF 2026

Petition under Article 227 of the Constitution of India, aggrieved by the Order dated 09-07-2026 passed in IA. No. 112 of 2026 in New O.S. No. 198 of 2022 on the file of the Principal Junior Civil Judge Cum Judicial Magistrate of First Class, Miryalaguda.

Between:

Ramavath Heera @ Veera, S/o Hanumanthu, Aged 59 years, Occ. Agriculture, R/o. Balnepally Village, Adavidevulapally Mandal, Nalgonda District, Telangana.

...PETITIONER

AND

1. Katari Ramanaiah, S/o Gullaiah, Aged 59 years, Occ. Agriculture, R/o Balnepally Village, Adavidevulapally Mandal, Nalgonda District, Telangana.
2. Katari Sambaiah, S/o Gullaiah, Aged 69 years, Occ. Agriculture, R/o Balnepally Village, Adavidevulapally Mandal, Nalgonda District, Telangana.
3. Dasari Gopaiah, S/o Chandraiah, Aged 74 years, Occ. Agriculture, R/o Balnepally Village, Adavidevulapally Mandal, Nalgonda District, Telangana.
4. Palapothula Kotaiah, S/o Saidulu, Aged 49 years, Occ. Agriculture, R/o Balnepally Village, Adavidevulapally Mandal, Nalgonda District, Telangana.
5. Bathula Rambabu, S/o Idaiah, Aged 45 years, Occ. Agriculture, R/o Balnepally Village, Adavidevulapally Mandal, Nalgonda District, Telangana.
6. Bathula Pitchamma, W/o Kashaiah, Aged 74 years, Occ. Agriculture, R/o Balnepally Village, Adavidevulapally Mandal, Nalgonda District, Telangana.
7. Dasari Saidaiah, S/o Pullaiah, Aged 59 years, Occ. Agriculture, R/o Balnepally Village, Adavidevulapally Mandal, Nalgonda District, Telangana.
8. Dasari Mallaiah, S/o Pullaiah, Aged 64 years, Occ. Agriculture, R/o Balnepally Village, Adavidevulapally Mandal, Nalgonda District, Telangana.
9. Bathula China Anjaiah, S/o Muthaiah, Aged 79 years, Occ. Agriculture, R/o Balnepally Village, Adavidevulapally Mandal, Nalgonda District, Telangana.

...RESPONDENTS

I.A. 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 order stay of all further proceedings in New O.S. No.198 of 2022 on the file of the learned Principal Junior Civil Judge-cum-Judicial Magistrate of First Class, Miryalaguda, pending disposal of the present civil revision petition.

Counsel for the Petitioner : Sri. Ch Satyasadhan

Counsel for the Respondents : -

The Court made the following: ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HONOURABLE SMT. JUSTICE JUVVADI SRIDEVI

CIVIL REVISION PETITION No.2422 of 2026
(CNR No. HBHC010537022026)

DATED: 18TH SEPTEMBER, 2026

BETWEEN:

Ramavath Heera @ Veera ...Petitioner

AND

Katari Ramanaiah and others ...Respondents

ORDER:

This Civil Revision Petition is filed by the petitioner challenging the impugned order dated 09.07.2026 passed in I.A.No.112 of 2026 in New O.S.No.198 of 2022 (Old O.S.No.121 of 2017) by the learned Principal Junior Civil Judge-cum-Judicial Magistrate of First Class, Miryalaguda, whereby the application filed by the petitioner under Order VI Rule 17 read with Section 151 of the Code of Civil Procedure, 1908, seeking amendment of the southern boundary of the suit 'A' schedule property by showing 'Flood Flow Canal and Road' instead of 'Road leads to Adavidevulapally to Chityala', was dismissed.

02. Heard Sri Ch. Satyasadhan, learned counsel for the petitioner. Perused the material available on record.

03. Learned counsel for the petitioner submitted that the amendment sought for is necessary for determining the real question in controversy between the parties. He contended that the proposed amendment, whereby the southern boundary of the suit 'A' schedule property is sought to be amended by substituting the existing description, namely, 'Road leads to Adavidevulapally to Chityala', with 'Flood Flow Canal and Road', neither introduces a new cause of action nor alters the nature and character of the suit. He further submitted that no prejudice would be caused to the respondents by permitting the proposed amendment, as they would have ample opportunity to cross-examine the petitioner and adduce evidence, if any, with regard to the proposed change in the southern boundary during the course of trial. Accordingly, he prayed to set aside the impugned order and allow the Civil Revision Petition.

04. Learned counsel for the petitioner filed proof of service vide Memo dated 03.09.2026, along with online tracking reports, and submitted that personal notices sent to the respondents were served on them on 27.08.2026. In view of the said proof of service and the presumption of service under Section 27 of the General Clauses Act, service of notice on the

respondents is held sufficient. Despite service of notice, none appeared on behalf of the respondents.

05. Having considered the submissions made by the learned counsel for the petitioner and perused the material available on record, the issue that arises for consideration in this Civil Revision Petition is whether the learned trial Court was justified in dismissing the application filed by the petitioner seeking amendment of the southern boundary of the suit 'A' schedule property. It is to be noted that the amendment sought for by the petitioner pertains to the description of the southern boundary of the suit 'A' schedule property. The proposed amendment, on the face of it, does not seek to introduce a new cause of action or change the nature and character of the suit. The correctness or otherwise of the proposed description of the southern boundary is a matter to be examined on the basis of the pleadings and evidence adduced by the parties during the course of trial. It is also relevant to observe that permitting the proposed amendment, by itself, would not deprive the respondents of their right to contest the claim of the petitioner. The respondents would have ample opportunity to file their additional pleadings, if necessary, and to cross-examine the petitioner and other

witnesses on the aspect of the southern boundary of the suit 'A' schedule property.

06. In the considered opinion of this Court, the proposed amendment would assist in effectively adjudicating the real controversy between the parties and avoiding multiplicity of proceedings. The learned trial Court, instead of rejecting the amendment, ought to have considered whether the proposed change could be permitted by imposing appropriate conditions and safeguarding the rights of the respondents. The apprehension of prejudice, if any, cannot, in the facts and circumstances of the case, be a ground to deny the amendment altogether, particularly when the respondents would have sufficient opportunity to contest the same during trial.

07. In view of the foregoing discussion, this Court is of the considered opinion that the impugned order warrants interference by this Court in exercise of its revisional jurisdiction. Accordingly, the impugned order dated 09.07.2026 passed in I.A.No.112 of 2026 in New O.S.No.198 of 2022 (Old O.S.No.121 of 2017) by the learned Principal Junior Civil Judge-cum-Judicial Magistrate of First Class, Miryalaguda, is liable to be set aside.

08. Accordingly, with the above observations, the Civil Revision Petition is disposed of, setting aside the impugned order dated 09.07.2026. Consequently, I.A.No.112 of 2026 filed by the petitioner under Order VI Rule 17 read with Section 151 CPC is allowed, permitting the petitioner to carry out the proposed amendment to the southern boundary of the suit 'A' schedule property by substituting 'Road leads to Adavidevulapally to Chityala' with 'Flood Flow Canal and Road'. The learned trial Court shall afford reasonable opportunity to the respondents to file their additional pleadings, if any, and to cross-examine the petitioner and other witnesses, as may be necessary, in relation to the proposed amendment. It is made clear that the observations made herein are confined to the disposal of the present Civil Revision Petition, and the correctness of the amended boundary description shall be decided by the learned trial Court on the basis of the evidence adduced by the parties, uninfluenced by any of the observations made in this order. The learned trial Court is further directed to proceed with the trial and dispose of the suit, as expeditiously as possible, in accordance with law. There shall be no order as to costs.

As a sequel, miscellaneous applications, if any, pending shall stand closed.

SD/- L. VIJAYA LAXMI
ASSISTANT REGISTRAR

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SECTION OFFICER

To,

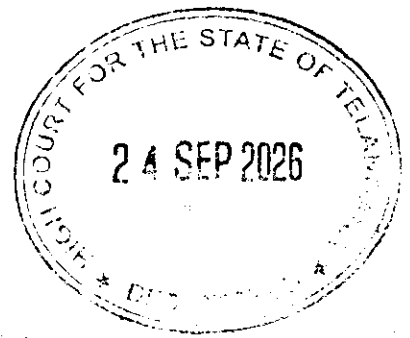
1. The Principal Junior Civil Judge Cum Judicial Magistrate of First Class, Miryalaguda.
2. One CC to SRI. CH SATYASADHAN Advocate [OPUC]
3. Two CD Copies



TPK/GNK

HIGH COURT

DATED: 18/09/2026



ORDER

CRP.No.2422 of 2026

CIVIL REVISION PETITION IS DISPOSED OF

⑤ MT
24/9/26