

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

**THE HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
and
THE HON'BLE SRI JUSTICE N. BALAYOGI**

A.S.No.469 of 2013

Between:

Marella Sridhara Babu, S/o Visweswara Rao,
Aged about 37 years, Hindu, R/o Manduvavaripalem
Village, Ongole Mandal, Prakasam District

... Appellant

Vs.

Marella Seetharamavamma, W/o late Venkateswarlu,
Aged about 65 years, Occ: Housewife,
R/o D.No.3-143, Manduvavaripalem village,
Ongole Mandal, Prakasam District and 2 others

... Respondents

For Appellant : Mr. Unnam Muralidhar Rao

For Respondents : Mr. T. Sreedhar



**HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE N. BALAYOGI**

A.S.No.469 of 2013

JUDGMENT: *(V. Ramasubramanian, J)*

The appeal arises out of dismissal of a suit, which was actually for partition, but which was differently titled as a suit for declaration of the tile of the plaintiff to 1/3rd share in the properties as per Will. The plaintiff is the appellant.

2. After the filing of the appeal, the parties have entered into a compromise. A joint memo of compromise filed by the parties reads as follows:

**“JOINT COMPROMISE MEMO FILED BY APPELLANT &
RESPONDENTS:**

It is humbly submitted jointly by the appellants & respondents in the present case that they have mutually discussed and conciliated amongst themselves out-of-court and accordingly have settled the disputes involved in the present *lis* on the following terms:

(1) The ownership and title of the properties described under **Schedule “A”** appended to the joint compromise memo shall become absolutely vested in favour of the appellant;

(2) Likewise, the ownership of the properties described under **Schedule “B”** appended to the joint compromise memo shall become vested absolutely in favour of the respondents – Marella Seetharavamma and Manduva Aruna Kumari, jointly; and

(3) The parties mutually agree with each other, that, they shall do all that is necessary to ensure a proper transfer of title in favour of the other, including signing and executing all such documents/applications before such appropriate statutory authorities for change of ownership or transfer of ownership.”

Therefore the parties hereto humbly pray before this Hon'ble Court to record the present joint-compromise between the appellants and respondents; and accordingly pass a decree and

judgment in the present A.S.No.469 of 2013 on the compromise terms mentioned herein, in the interest of justice.

SCHEDULE A

Item No.1:

Ongole Sub-Registration, Mukthiknuthalapadu village, S.No.205/2, West side of Ac.0.73 cents out of Ac.1.45 cents of dry land bounded by:

EAST : B-schedule land
WEST : Manduva Venktarayudu land
NORTH : Singu Vijayaraghava Rao land
SOUTH ; Donka

Item No.2:

Ongole Sub-Registration, Mukthiknuthalapadu village, S.No.205/1, East side of Ac.0.32 cents out of Ac.0.65 cents of dry land bounded by:

EAST : Marella Yanadaiah land
WEST : B-schedule land
NORTH : Kummara Kotappa and others land
SOUTH ; Chintapalli Kotaiah land

Item No.3:

Ongole Sub-Registration, Mukthiknuthalapadu village, S.No.226/1, 228 229 South side of Ac.1.85 cents out of Ac.3.71 cents of dry land bounded by:

EAST : Karumudi Sivaiah land
WEST : Donka
NORTH : B-schedule land
SOUTH ; Komatineni Chandra Sekhar land

Item No.4:

Ongole Sub-Registration, Mukthiknuthalapadu village, S.No.237/1 B2, of Ac.1.62 cents of dry land bounded:

EAST : Digumarthi Akkaiah and others land
WEST : Karumudi Govindaiah land
NORTH : Manduva Venkateswaralu and others land
SOUTH ; Manduva Ademma land

Item No.5:

Ongole Sub-Registration, Mukthiknuthalapadu village, S.No.213/1, of Ac.0.42 cents of dry land bounded by:

EAST : Digumarthi Venkat Raidu land
 WEST : Manduva Ramaiah land
 NORTH : Marella Venkateswarlu and others land
 SOUTH ; Donka

Item No.6:

Ongole Sub-Registration, Mukthiknuthalapadu village,
 S.No.213/1A & 2B of Ac.1.20 cents of dry land bounded by:

EAST : Marella Yanadaiah land
 WEST : B-schedule land
 NORTH : Kummara Kotappa and others land
 SOUTH ; Chintapalli Kotaiah land

Item No.7:

Ongole Sub-Registration, Throvagunta village, S.No.529/2D
 of Ac.0.45 cents of dry land bounded by:

EAST : Marella Koteswaramamma land
 WEST : B-Schedule land
 NORTH : Manduva Nageswara Rao land
 SOUTH ; Marella Singaiah land

Item No.8:

Ongole Sub-Registration, Throvagunta village, S.No.461 of
 Ac.0.75 cents of dry land bounded by:

EAST : Dream Valley land
 WEST : Marella Yanadaiah land
 NORTH : Digumarthi Bhavani Prasad land
 SOUTH ; Marella Singaiah land

Item No.9:

Ongole Sub-Registration, Throvagunta village, S.No.551/93 of
 Ac.0.56 cents of dry land bounded by:

EAST : Marella Yanadi land
 WEST : Marella Singaiah land
 NORTH : Marella Sivaiah land
 SOUTH ; Manduva Kotaiah land

Item No.10:

Ongole Sub-Registration, Throvagunta village, S.No.551/2 of
 Ac.0.07 cents of dry land bounded by:

EAST : Manduva Narayana land

WEST : Digumarthi Venkateswarlu land
 NORTH : Marella Sivaiah land
 SOUTH ; Korapati Venkata Narayana land

Item No.11:

Ongole Sub-Registration, Throvagunta village, S.No.512/2D
 of Ac.0.76 cents of dry land bounded by:

EAST : Donka
 WEST : Marella Yanadaiah land
 NORTH : Marella Sivaiah land
 SOUTH ; Digumarthi Venkateswarlu land

Item No.12:

Ongole Sub-Registration, Throvagunta village, S.No.547/2 of
 Ac.0.10 cents of dry land bounded by:

EAST : Digumarthi Venkateswarlu land
 WEST : Marella Sivaiah land
 NORTH : Karumudi Nageswara Rao land
 SOUTH ; Kodela Ramesh land

Item No.13:

Ongole Sub-Registration, Santhanuthalapadu Sub-Registrar
 Elaka, S.No.4 of Ac.2.35 cents of dry land bounded by:

EAST : Karumudi Prabhakara Rao land
 WEST : Manduva Ramaiah land
 NORTH : Marella Venkat Rao and others land
 SOUTH ; B-schedule land

SCHEDULE B**Item No.1:**

Ongole Sub-Registration, Mukthinuthalapadu village,
 S.No.205/2 East side of Ac.0.72 cents out of Ac.1.45 cents of dry
 land bounded by:

EAST : Nalluri Sriramulu land
 WEST : A- schedule land
 NORTH : Singu Vijayaraghava Rao land
 SOUTH ; Donka

Item No.2:

Ongole Sub-Registration, Mukthinuthalapadu village,
 S.No.205/1, West side of Ac.0.33 cents out of Ac.0.65 cents of dry
 land bounded by:

EAST : A-schedule land
 WEST : Marella Singaiah land
 NORTH : Kummara Kotappa and others land
 SOUTH ; Chintapalli Kotaiah land

Item No.3:

Ongole Sub-Registration, Mukthinuthalapadu village,
 S.No.226/1, 228, 229 North side of Ac.1.86 cents out of Ac.3.71
 cents of dry land bounded by:

EAST : Karumudi Sivaiah land
 WEST : Donka
 NORTH : Manduva Lakshmi Kumari land
 SOUTH ; A-schedule land

Item No.4:

Ongole Sub-Registration, Mukthinuthalapadu village,
 S.No.283/1B of Ac.0.52 cents of dry land bounded by:

EAST : Chittipothu Rajesh land
 WEST : Donka
 NORTH : Marella Bhaskara Rao land
 SOUTH ; Manduva Ramachandra Rao land

Item No.5:

Ongole Sub-Registration, Mukthinuthalapadu village,
 S.No.237/1 B2 of Ac.1.61 cents of dry land bounded by:

EAST : Karumudi Govindaiah land
 WEST : Marella Sivaiah land
 NORTH : Manduva Ramanadham land
 SOUTH ; Karumudi Veeraswamy land

Item No.6:

Ongole Sub-Registration, Mukthinuthalapadu village,
 S.No.213/1 of Ac.1.71 cents of dry land bounded by:

EAST : Akkarajuvari land
 WEST : Digumarthi Mohan Kumar land
 NORTH : Marella Narayana Swamy and Vaddempudi Suseela land
 SOUTH ; Marella Venkateswarlu and others land

Item No.7:

Ongole Sub-Registration, Throvagunta village, S.No.524/1H
 of Ac.0.43 cents of dry land bounded by:

EAST : Manduva Ramanadham land and Donka
 WEST : Manduva Radha Krishna and others land
 NORTH : Dry land
 SOUTH ; Karumudi Srimannarayana land

Item No.8:

Ongole Sub-Registration, Throvagunta village, S.No.529/2C,
 of Ac.0.45 cents of dry land bounded by:

EAST : A-schedule land
 WEST : Marella Venkata Subbamma land
 NORTH : Manduva Nageswara Rao land
 SOUTH ; Marella Singaiah land

Item No.9:

Ongole Sub-Registration, Throvagunta village, S.No.515/45 of
 Ac.0.10 cents of dry land bounded by:

EAST : Marella Venkateswarlu land
 WEST : Digumarthi Rathamma land
 NORTH : Manduva Subbamma land
 SOUTH ; Komatineni Raghava Rao land

Item No.10:

Ongole Sub-Registration, Santhanuthalapadu Sub-Registrar
 Elaka, S.No.4 of Ac.0.75 cents of dry land bounded by:

EAST : Manduva Sriramammurthy land
 WEST : Marella Singaiah land
 NORTH : Manduva Ramaiah land
 SOUTH ; Manduva Aruna Kumari land

Item No.11:

Ongole Sub-Registration, Santhanuthalapadu Sub-Registrar
 Elaka, S.No.4 of Ac.0.75 cents of dry land bounded by:

EAST : Sudanagunta Ravisankar land
 WEST : Manduva Ramaiah land
 NORTH : A-schedule land
 SOUTH ; Manduva Radha Krishna land

3. The appellant as well as the respondents 1 and 2
 were present in Court. The 3rd respondent is now no more.

The parties confirmed the terms and conditions of the compromise, when questioned by the Bench.

4. Therefore, the appeal is allowed, the judgment and decree of the trial Court are set aside and there will be a decree in terms of the compromise memo. The parties will bear their own costs.

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

V. RAMASUBRAMANIAN, J

N. BALAYOGI, J

Date: 13-06-2018

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