IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY ,THE EIGHTH DAY OF MAY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE JUSTICE DR. V.R.K. KRUPA SAGAR

APPEAL SUIT NO: 577 OF 2013

Appeal filed under section 96 of CPC aggrieved by the judgment and decree made in OS No. 17 of 2008, on the file of the court of the District Judge, Chittoor, dated 22-02-2013

Between:

Sri A. Ekambaram Naicker, S/o. K. Ramaiah, aged about 68 years, Occ: Agriculturist, Residing at Palamaner Post & Mandal, Chittoor District

...Appellant/Defendant No.2

AND

1. K. Venkatachalapathi Naicker, S/o. Varadarajulu Naicker, Aged about 44 years, Occ: Agriculturist, Residing at Pathikonda Gangavaram Mandal, Chittoor District
2. K. Varadarajulu Naicker, S/o. Ramaiah, Aged about 65 years, Hindu, Occ: Agriculturist, Residing at Pathikonda Gangavaram Mandal, Chittoor District
3. Sulochanamma, W/o. Lingappa, aged about 70 years, Hindu, dependant, Residing at Sairam Street Palamaner Post & Mandal, Chittoor District

...Respondents/Plaintiffs

4. K. Subramanyam Naicker, S/o. Gopal Naicker , Aged about 43 years, Occ: Agriculturist, Residing at Pathikonda Gangavaram Mandal, Chittoor District

5. K. Gopal Naicker (died)

6. Vallamma, W/o Venugopal, Aged about 40 years, Hindu, Occ: Agriculturist, Residing at Gantavuru Palamaner Mandal, Chittoor District

...Respondents/Defendants

IA NO: 2 OF 2018

Petition under Order XXII Rule 9 R/w 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 set aside the abatement caused due to the death of the appellant in the above appeal

IA NO: 3 OF 2018

Petition under Order XXII Rule 3 R/w 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 permit the petitioner come on record as Legal Representatives of Deceased Appellant

IA NO: 4 OF 2018

Petition under Order XXII Rule 4 R/w 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 bring the proposed Respondents 7 to 10 on record as Legal Representatives of Deceased Respondent No.2 in the above Appeal

IA NO: 1 OF 2022

Petition under Order 1 Rule 10 R/w 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 implead the Petitioners as Respondents No.7 to 22 in the above appeal A.S.No.577 of 2013 as well as in the interlocutory applications in the appeal suit.

Counsel for the Appellant: Sri. R V Reddy & Associates

Counsel for the Respondent Nos.1 & 4: Sri. Venkateswarlu Sanisetty

Counsel for the Respondent No.2: Sri. S V Muni Reddy

Counsel for other Respondents: None Appeared

The Court made the following:

APHC010196502013 IN THE HIGH COURT OF ANDHRA PRADESH

AT AMARAVATI

[3365]

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF MAY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE JUSTICE DR V R K KRUPA SAGAR

FIRST APPEAL NO: 577/2013

Between:

A. Ekambaram Naicker ...APPELLANT

AND

K Venkatachalapathi Naicker and Others ...RESPONDENT(S)

The Court made the following judgment:

1. Learned counsel for Respondent Nos.1 and 4 and learned counsel for Respondent No.6 are present.

2. No representation for the Appellant. This has been so on all earlier occasions also.

3. Today the matter is listed under the caption 'for dismissal'. However, there is no representation for the Appellant.

4. In the result, this Appeal is dismissed for non-prosecution. No order as to costs.

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

SD/- K TATA RAO
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The District Judge: Chittoor, Chittoor District. **(with records if any)**
2. One CC to Sri. R V Reddy & Associates, Advocate [OPUC]
3. One CC to Sri. Venkateswarlu Sanisetty, Advocate [OPUC]
4. One CC to Sri. S V Muni Reddy, Advocate [OPUC]
5. The Section Officer, V.R. Section, High Court of A.P. at Amaravathi.
6. **Three CD Copies**

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HIGH COURT

DATED:08/05/2024

JUDGMENT

AS.No.577 of 2013



DISMISSING THE APPEAL SUIT
FOR NON-PROSECUTION WITHOUT COSTS