IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE FIFTEENTH DAY OF DECEMBER TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HON'BLE SMT. JUSTICE RENUKA YARA

CIVIL REVISION PETITION NO: 1728 OF 2025

Petition under Article 227 of Constitution of India aggrieved by the order dated 02-05-2025 passed in I.A.No.610 of 2025 in AS.No.68 of 2025 on the file of the Court of the XXV Additional Chief Judge, City Civil Court, at Hyderabad.

Between:

Lavanya A, D/o AVJ Rao, Age: 36 years, Occ: Consultant, R/o Flat No. 304, 8-3-1027/1, Plot No.152, Bhanu Residency, Srinagar Colony, Hyderabad -500073

...Appellant/Petitioner/Defendant

AND

Prasanth Nandanuru, S/o Siva Prakasam Nandanuru, Age: 44 years, Occ: Service, residing permanently at US and permanent R/o A-1007, Aparna Cyber Commune, Nallagandla, Hyderabad-500019,

Rept through a GPA Holder Lakshmikanth Nandanuru, S/o Siva Prakasam Nandanuru, Age: 41 years, Occ: Private Service R/o A-100, Aparna Cyber Commune, Nallagandla, Hyderabad-500019

...Respondent/Respondent/Plaintiff

IA NO: 1 OF 2025

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 grant an immediate stay on execution of judgment and decree passed in OS 3058 of 2020 on 31-01-2025 by XXI Junior Civil Judge, City Civil Courts, Hyderabad including cancel/dismiss of warrants already issued as part of execution petition already filed or under process against petitioner, till the disposal of the appeal AS 68 of 2025 in the XXV Addl. Chief Judge, City Civil Courts, Hyderabad in the fair interest of justice.

IA NO: 2 OF 2025

Between:

Prasanth Nandanuru, S/o Siva Prakasam Nandanuru, Age: 44 years, Occ: Service, residing permanently at US and permanent R/o A-1007, Aparna Cyber Commune, Nallagandla, Hyderabad-500019,

Rept through a GPA Holder Lakshmikanth Nandanuru, S/o Siva Prakasam Nandanuru, Age: 41 years, Occ: Private Service R/o A-100, Aparna Cyber Commune, Nallagandla, Hyderabad-500019

...Petitioner/Respondent

AND

Lavanya A, D/o AVJ Rao, Age: 36 years, Occ: Consultant, R/o Flat No. 304, 8-3-1027/1, Plot No.152, Bhanu Residency, Srinagar Colony, Hyderabad -500073

...Respondent/Petitioner

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 vacate the interim stay order in IA No.1 of 2025 in CRP No.1728 of 2025 dated 21-05-2025.

Counsel for the Petitioner: Ms. A. Lavanya, Party in Person

Counsel for the Respondent: Mr. R. Ranganathan

The Court made the following: ORDER

IN THE COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE RENUKA YARA

CIVIL REVISION PETITOIN NO.1728 of 2025

15th DAY OF DECEMBER, 2025

Between:

Ms. Lavanya.A, Hyderabad

...Petitioner/defendant

And

Mr. Prasanth Nandanuru, Hyderabad.

...Respondent/plaintiff

ORDER:

1. Heard Petitioner party-in-person and Mr. R.Ranganathan, learned counsel for respondent/plaintiff. Perused the record.

2. This Civil Revision petition is filed aggrieved by the Order dated 02.05.2025 passed by the Learned XXV Additional Chief Judge, City Civil Court, Hyderabad, (for short, 'the First Appellate Court) in I.A. No. 610 of 2025 in A.S. No. 68 of 2025, wherein, the petitioner/appellant is directed to deposit the first installment of 25% of arrears of rent by 06.05.2025, the second

installment of 25% of arrears by 09.06.2025 and the remaining 50% of arrears by 09.07.2025.

3. The matter is argued by the petitioner (party-in-person) who is a tenant of the respondent with respect to the suit schedule property consisting of Municipal House bearing No. 8-3-1027/1, Plot No. 152, Flat No. 304 of Bhanu Residency, Srinagar Colony, Hyderabad. The respondent filed a suit in O.S. No. 3058 of 2020 for eviction and for payment of arrears of rent. Further, the respondent also sought mesne profits from the petitioner herein. Aggrieved by the judgment and decree dated 31.01.2025 passed in O.S. No. 3058 of 2020 by the XXI Junior Civil Judge, City Civil Court, Hyderabad (for short, 'the Trial Court'), the petitioner herein preferred A.S. No. 68 of 2025 before the First Appellate Court.

4. In said appeal, the petitioner filed I.A. No. 610 of 2025 seeking interim stay of judgment and decree dated 31.01.2025 pending disposal of the appeal. On 23.04.2025, the First Appellate Court directed the parties to maintain *status quo* till 30.04.2025. Thereafter, said I.A No. 610 of 2025 has been disposed of *vide* order dated 02.05.2025 directing the

Petitioner to pay arrears of rents in three (03) installments i.e. 25% by 06.05.2025, 25% by 09.06.2025 and 50% by 09.07.2025. Aggrieved by the same, the present Civil Revision Petition is preferred. The background facts and grounds contain various allegations and details which need not be considered in the present Civil Revision Petition.

5. The petitioner argued the matter as party in person stating that the trial Court did not consider her difficulty in paying the first installment of 25% of arrears of rent within a period of three (03) days i.e. the order was passed on 02.05.2025 and she was expected to pay the first installment on 06.05.2025. This situation of procuring an amount of about Rs.3,00,000/- within a period of three (03) days has caused difficulty. In addition, the petitioner did not have knowledge about the method of payment of arrears of rent either before the First Appellate Court or the Trial Court. The petitioner had to run pillar to post to find out the method of payment of the arrears of rent for the first installment. It is admitted by the party in person that she was a tenant of the respondent for almost ten (10) years and it is also admitted that she cannot

live in the house of the respondent indefinitely. However, according to the petitioner, she found it difficult to find an alternative accommodation on account of the illegal acts committed by the respondent while attempting to throw her out of the house physically without following due process of law. According to the petitioner, the regular nuisances caused by the respondent in the process of evicting her forcibly have defamed her reputation in the locality and therefore, she is unable to find alternative accommodation to vacate the premises. However, the petitioner has acknowledged the fact that she has to vacate the premises one day or the other, as the trial Court has passed a decree of eviction against her.

6. Learned counsel for respondent submitted that the petitioner herein as a tenant has committed default in payment of rents and therefore, a suit for eviction has been filed. The petitioner is a chronic defaulter. It is also the case of the respondent that the petitioner is abusing the process of law to defeat the rights of the respondent accrued through the judgment and decree dated 31.01.2025 in OS No. 3058 of 2020. It is submitted that the petitioner does not deserve any

sympathy as she has subjected the respondent to untold misery during her tenure as a tenant.

7. The petitioner submitted that given reasonable time frame she will pay the arrears of rent and also vacate the suit schedule premises. It is seen that the First Appellate Court passed the impugned order dated 02.05.2025 granting stay subject to payment of 100% of arrears of rents during the pendency of the appeal. In normal course, stay is granted in a suit for eviction subject to payment of arrears of rent of 50% within a given time frame. The mandatory right of first appeal and its purpose would be defeated in case the petitioner is directed to pay 100% of arrears of rents. In the facts and circumstances of the case, the First Appellate Court ought to have directed the petitioner to pay 50% of arrears of rent in two (02) installments and to pay the remaining at the time of disposal of the appeal.

8. The petitioner in her grounds of appeal contended that there is an error committed by the trial Court while computing the arrears of rent. According to the petitioner, she has paid several amounts online through her bank account and said

payments are not considered by the Trial Court. It is specifically stated that rents for many months were paid via SBI's Treasury Branch, Gunfoundry, Hyderabad, with challan process and submitted the same in the trial Court in the form of receipts for the period during 2024. However, the said challans and receipts have not been considered by the trial Court. In the circumstances, there is every possibility of payment of double rents and therefore, the petitioner claimed that she has good chances of success in the first appeal in A.S No. 68 of 2025. That being so, the First Appellate Court committed an error in ordering the petitioner to pay the total amount of 100% of arrears of rent within three (03) months from the date of passing of the impugned order.

9. In the circumstances, the Civil Revision Petition is disposed of directing the Petitioner to pay 50% of arrears of rent by 20.01.2026 and the remaining amount to be paid after disposal of the First appeal in A.S. No. 68 of 2025 before the learned XXV Additional Chief Judge, City Civil Court, Hyderabad. Meanwhile, the petitioner may also as per the oral undertaking given by her in the open Court search for an

alternative accommodation and to vacate the suit schedule premises by the date of disposal of the appeal. There shall be nor order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

SD/- A.V.S. PRASAD
DEPUTY REGISTRAR

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SECTION OFFICER

To,

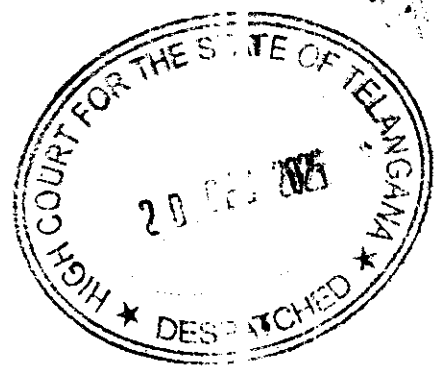
1. The XXV Additional Chief Judge, City Civil Court, at Hyderabad.
2. Ms. A. Lavanya, D/o AVJ Rao, Age: 36 years, Occ: Consultant, R/o Flat No. 304, 8-3- 1027/1, Plot No.152, Bhanu Residency, Srinagar Colony, Hyderabad -500073. Party in Person.
3. One CC to Mr. R. Ranganathan, Advocate [OPUC]
4. Two CD Copies

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HIGH COURT

RY, J

DATED:15/12/2025



ORDER

CRP.No.1728 of 2025

DISPOSING THE CRP

6/MT
20/12/25