

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**TUESDAY, THE ELEVENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CIVIL REVISION PETITION NO: 3677 OF 2025

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 to set aside order passed in I.A.No. 339 of 2025 in OS.No. 01 of 2021 Dated 25/08/2025 by the Court of the Judge, Family Court-Cum-III-Additional District and Sessions Judge Adilabad District. by allowing the revision petition and may be pleased to dismiss the I.A. No. 339 of 2025 filed by the respondent No.1 herein in the interest of justice and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Between:

1. Nalmela Rashmi, W/o. Srinivas Reddy, Age. 46 years, Occ. Housewife, R/o. H.No. 9-39, Teachers Colony, Dasnapur, G.P. Mavala, Adilabad District.

...PETITIONER(S)

AND

1. Nalmela Madhav Reddy, S/o. Narayana Reddy, Age. 65 years, Occ. Agriculture, R/o. H.No. 6-91, Kowtha-B Village, Mdl. Adilabad District.
2. Nalmela Prasad Reddy, S/o. Madhav Reddy, Age. 52 years, Occ. Agriculture, R/o. H.No. 6-91, Kowtha-B Village, Mdl. Adilabad District.
3. Nalmela Pothanna, S/o. Madhav Reddy, Age. 44 years, Occ. Agriculture and Private Lecture in VNR Collage, Rio. H.No. 9-39, Teachers Colony, Dasnapur, G.P. Mavala, Adilabad District.

...RESPONDENTS

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 interim stay of all further proceedings in I.A.No. 339 of 2025 in OS.No. 01 of 2021 on the file of in the Court of the Judge, Family Court-Cum-III-Additional District and Sessions Judge Adilabad District, pending disposal of the above revision petition in the interest of justice

Counsel for the Petitioner(s):SRI. SOMA RAVI KIRAN REDDY

Counsel for the Respondents: RAGAM VISHAL

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE K. SUJANA

CIVIL REVISION PETITION No.3677 of 2025

ORDER:

This Civil Revision Petition is filed challenging the order dated 25.08.2025 passed in I.A.No.339 of 2025 in O.S.No.1 of 2021 by the learned Judge, Family Court-cum-III Additional District and Sessions Judge, Adilabad.

2. The brief facts of the case are that the plaintiff filed a petition under Section 151 CPC seeking to reopen the suit in O.S. No.1 of 2021 for the purpose of adducing further evidence and marking certain documents, namely the certified copies of the plaint and docket order in O.S.No.33 of 2016, which was earlier filed and dismissed for default. The plaintiff contended that these documents were recently obtained and were necessary for fair adjudication. On the other hand, defendant No.1 filed a counter opposing the petition, contending that it was filed at a belated stage after completion of arguments, only to protract the proceedings and that the petition mentioned documents were not relevant or material to the issues involved, as the subject

matter was already part of other connected suits. The trial Court after hearing both sides, vide order dated 25.08.2025 allowed the petition holding that the documents sought to be produced were relevant for proper adjudication, as they related to the same subject matter involved in the connected suits. The trial Court observed that procedural rules exist to advance justice and not to punish parties for technical lapses, reopened the suit, and permitted the plaintiff to adduce further evidence for marking the said documents. Aggrieved thereby, the petitioner/defendant No.1 filed the present criminal petition.

3. Heard Sri Soma Ravi Kiran Reddy, learned counsel appearing on behalf of the petitioner as well as Sri Ragam Vishal, learned counsel appearing on behalf of respondent No.1.

4. Learned counsel for the petitioner submitted that the trial Court erred in allowing the application filed by the respondent No.1 under Section 151 of CPC for reopening the evidence of the plaintiff, as the same was filed at a highly belated stage only to fill up the lacunae in the case of the

respondent. He contended that all the suits between the parties relating to the same property were already clubbed together and that the evidence, including expert opinion on the disputed fingerprints, had been concluded long back. He contended that the trial Court ignored the fact that the application of the respondent was filed after completion of arguments and without any valid reason or necessity. Therefore, he prayed the Court to set aside the order of the trial Court by allowing this civil revision petition.

5. On the other hand, learned counsel for respondent No.1 submitted that no prejudice would be caused to the revision petitioner, as he would still have an opportunity to cross-examine the said witnesses. He further contended that it was only a matter of receiving the documents, and mere receiving does not amount to marking or admitting them in evidence, which would be decided based on the merits of the case. Hence, he prayed the Court to dismiss the civil revision petition.

6. In the light of the submissions made by both the learned counsel and on a perusal of the material available

on record, it appears that the specific contention of the learned counsel for the petitioner is that the impugned interlocutory application was filed at the fag end of the trial only to protract the proceedings and fill up the lacunae in the case of the respondent, and that the trial Court allowed the same without proper consideration on merits. It is also not in dispute that the documents now sought to be filed were already mentioned in the written statement of the revision petitioner, yet no steps were taken by respondent No.1 to file or mark the said documents during the course of trial.

7. However, considering that the documents appear to be relevant to the subject matter of the suit and that mere receiving of documents does not amount to marking or admitting them in evidence, this Court finds no illegality or perversity in the order of the trial Court in allowing the petition under Section 151 CPC. Nevertheless, as the suit pertains to the year 2015, the trial Court is directed to complete the process of recording the additional evidence, within 15 days from the date of receipt of a copy of this

order and dispose of the main suit on merits, strictly in accordance with law, as expeditiously as possible.

8. With the above observations and directions, this Civil Revision Petition is disposed of. There shall be no order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

SD/- AHMED ABDULLAH KHAN
ASSISTANT REGISTRAR

//TRUE COPY//



SECTION OFFICER

To,

1. The Family Court-Cum-III-Additional District and Sessions Judge Adilabad District.
2. One CC to SRI. SOMA RAVI KIRAN REDDY Advocate [OPUC]
3. One CC to SRI. RAGAM VISHAL Advocate [OPUC]
4. Two CD Copies

PK/SA



HIGH COURT

DATED:11/11/2025

CRP.No.3677 of 2025



DISPOSED OFF

⑥ - JKS
20/1/26