IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY,THE NINETEENTH DAY OF DECEMBER TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

CIVIL REVISION PETITION NO: 4433 OF 2025

Petition under Article 227 of Constitution of India against the order passed in I.A.No. 330 of 2025 in OS.No. 577 of 2025 of dated 14.11.2025 on the file of the Court of the Addl. Senior Civil Judge, Nalgonda, Nalgonda District

Between:

DugyalaJanakamma, W/o.Late D. Venkataiah, (Aged 65 years, Occ. Housewife, R/o H.No.6-3-1127, Gandhi Nagar, Ramagiri, Nalgonda District-508001. Presently residing at H.No.8-1-1-72/1/ A, Plot No.24, Laxminagar Colony, Near Blind School, Peddabanda, Nalgonda District.

...PETITIONER/PLAINTIFF

AND

Koilakonda Rajeshwari, W/o. K. Eshwaraiah, Aged 44 years, Occ. Business, R/o. H.No.6-3-1125, Gandhi Nagar, Ramagiri, Nalgonda District.

...RESPONDENT/DEFENDANT

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 suspend the order dated 14-11-2025 passed in I.A.No.330 of 2025 in O.S.No.577 of 2025 on the file of Additional Senior Civil Judge at Nalgonda and to order attach the respondent/ defendant suit schedule property before judgement, pending disposal of the main civil revision petition

Counsel for the Petitioner : SRI PRAKASH YARRA

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.4433 OF 2025

DATED: 19th DECEMBER, 2025

Between:

Dugyala Janakamma ...Petitioner

AND

Kolilakonda Rajeshwari ...Respondent

ORDER:

This Civil Revision Petition is filed by the petitioner, being aggrieved by the impugned order dated 14.11.2025 passed in I.A.No.330 of 2025 in O.S.No.577 of 2025 on the file of the learned Additional Senior Civil Judge, Nalgonda (for short, "the learned trial Court"), whereby the Interlocutory Application filed by the petitioner under Order XXXVIII Rule 5 read with Section 151 of the Code of Civil Procedure was dismissed.

02. Heard Sri Yarra Prakash, learned counsel for the petitioner and perused the record.

03. Learned counsel for the petitioner submitted that the learned trial Court dismissed the petitioner's application seeking attachment before judgment without duly considering the documents placed on record. It was further contended that the ownership of the respondent is clearly reflected in the certified copies of the encumbrance certificate, which constitute the mother documents of the attached property. The learned counsel submitted that the dismissal of the application would enable the respondent to alienate the property and, if such alienation is permitted, the petitioner would suffer irreparable loss. Hence, he orally prayed to allow this Civil Revision Petition.

04. It is evident from the record that the main suit in O.S.No.577 of 2025 was instituted seeking recovery of money, and thereafter the present Interlocutory Application was filed seeking attachment before judgment. A perusal of the impugned order dated 14.11.2025 discloses that neither notice was issued to, nor any opportunity of hearing was afforded to, the other side, namely the respondent herein, which amounts to a clear violation of the principles of natural justice.

05. In view of the said procedural infirmity, this Court is of the considered opinion that this is a fit case for remanding the matter to the learned trial Court for fresh consideration and adjudication after affording ample opportunity to both sides. Consequently, the impugned order dated 14.11.2025 is hereby set aside, and the matter is remanded to the learned trial Court for fresh consideration. The learned trial Court is directed to dispose of I.A.No.330 of 2025 in O.S.No.577 of 2025 as expeditiously as possible, in accordance with law, after affording ample opportunity to both sides and by passing a reasoned order, preferably within a period of two (2) weeks from the date of receipt of a copy of this order.

06. With the above directions, this Civil Revision Petition is disposed of.

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

SD/- U. SUDHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

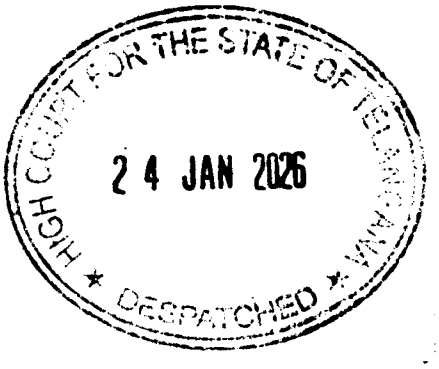
To,

1. The Additional Senior Civil Judge at Nalgonda
2. One CC to Sri Prakash Yarra, Advocate [OPUC]
3. Two CD Copies

ks/sa

HIGH COURT

DATED:19/12/2025



ORDER

CRP.No.4433 of 2025

Disposing of the C.R.P Without Costs

(5)

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