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APHC010257592019

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3520]**
(Special Original Jurisdiction)

FRIDAY, THE 30th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

CIVIL REVISION PETITION NO: 2388/2019

Between:

1. DESAI PADMA, ,W/O D.MAHESWARA REDDY, AAGAED ABOUT 48 YEARS, HOUSE WIFE, R/O D.NO.6-11,RAILWAY STATION ROAD, DHONE TOWN, KURNOOL DISTRICT.
2. G.SATYAMMA, W/OG.SUDHAKAR REDDY, AGED ABOUT 58 YEARS, HINDU, HOUSE WIFE, R/O AMADAGUNTAL, KODUMUR MANDAL, KURNOOL DISTRICT

...PETITIONER(S)

AND

1. P VENKATESWARAMMA, W/O LATE P.SESHI REDDY, AGED ABOUT 65 YEARS,HINDU, CULTIVATION, R/O ABBIREDDYPALLI VILLAGE,DHONEMANDAL, KURNOOL DISTRICT.
2. G N SRIDHAR REDDY, S/O G.N.NARASIHMA REDDY, AGED ABOUT 65 YEARS,HINDU, CULTIVATION, R/O BOYAPALLI VILLAGE,CHIKABALLAPUR DISTRICT, KARNATAKA STATE.
3. D MAHESWARA REDDY, S/O D.JAYARAMI REDDY, AGED ABOUT 53 YEARS, HINDU, CULTIVATION. R/O D.NO.7-3,NEHRU NAGAR, DHONE TOWN, KURNOOL DISTRICT.

...RESPONDENT(S):

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 toagainst the order passed in I.A.NO. 675/2018 in 0.S.N0.173/2013,dated 9-7-2019 on the file of the Principal Junior Civil Judge, Dhone.

IA NO: 1 OF 2019

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 Stay of all further proceedings in I.A.NO. 675/2018 in O.S.No.173/2013, dated 9-7-2019 on the file of the Principal Junior Civil Judge, Dhone, and pass

Counsel for the Petitioner(S):

1. K MOHAN RAMI REDDY

Counsel for the Respondent(S):

1. N NANDA KISHORE

The Court made the following:

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

CIVIL REVISION PETITION No.2388 OF 2019

ORDER:

Introductory:

1. This Civil Revision Petition is directed against the orders dated 09.07.2019 passed in I.A.No.675 of 2018 in O.S.No.173 of 2013 by the learned Principal Civil Judge (Junior Division), Dhone, Kurnool District.

2. I.A.No.675 of 2018 was filed under Order I Rule 10(2) read with Section 151 of the C.P.C seeking to implead the revision petitioners herein as defendant Nos.3 and 4 in the suit.

3. Feeling aggrieved by the order allowing of the impleadment, the revision petitioners have filed the present revision petition.

Facto Matrix:

4. The suit in O.S.No.173 of 2013 was filed for grant of perpetual injunction restraining the interference of defendant Nos.1 and 2 in the suit. Pending the suit, defendant No.1 has executed a sale deed in favour of the wife of defendant No.2 / proposed party No.1, in respect of an extent of Ac.0.50 cents and another sale deed in favour of one G. Satyamma / proposed party No.2, in respect of another extent of Ac.0.50 cents. Referring to the alienation taken place during the pendency of the suit, the impleadment of the proposed parties was sought.

The proposed parties opposed the impleadment, disputing the possession of the petitioner in respect of the property and asserting rights pursuant to the sale deeds executed in their favour. Further, he contended that plaintiff suppressed certain facts, particularly with regard to the sale of the property to one G. Raghunatha Reddy by one P. Shesireddy, the husband of the petitioner / plaintiff and that even the description of the property is incorrect. There were proceedings before the RDO relating to the issuance of pattadar pass books etc. and the issue had become final by the time the suit is filed.

Orders of the Trial Court:

5. The learned Principal Civil Judge(Junior Division), Dhone, upon formulating the point as to necessity of impleadment, allowed the application on the following grounds:

(i). The sale deeds in favour of the proposed parties were executed during the pendency of the suit.

(ii). Adding of the proposed parties will avoid multiplicity of litigation.

(iii). The presence of the proposed parties is necessary.

(iv). The trial had not commenced in the suit.

(v). The nature of the suit will not change.

(vi). No prejudice will be caused to the proposed parties by their impleadment and they can place all their defences during the trial.

Arguments in the Revision Petition:

6. (i). The learned Trial Judge failed to see that the suit-scheduled property had been sold by the husband of the respondent / plaintiff in the year 1989.

(ii). The pattadar passbooks were obtained by suppressing the facts.

(iii). Proceedings were initiated before the RDO and the Tahsildar for cancellation of the pattadar passbooks in favour of the plaintiff and pattadar passbooks were issued in favour of the revision petitioners / proposed parties. The plaintiff has no title over the property.

(iv). The impugned orders are not sustainable.

Analysis and reasoning:

7. There is a clear assertion in the petition filed before the Court below that the alienations in favour of the proposed parties took place during the pendency of the suit. It is alleged that the alienation of the property during the pendency of the suit were made with ulterior motives. To avoid multiplicity of proceedings, the impleadment of the proposed parties was necessary. In the consequential amendments, it is mentioned that the cause of action continues.

8. The relationship between the proposed parties and the existing parties, as well as the alienations made during the pendency of the suit, are the substantial reasons on the basis of which the application was allowed by the learned Trial

Judge. The learned Trial Judge also observed that the trial had not commenced. Upon considering factual matrix referred to above, no irregularity or illegality is found in the impugned order.

9. This Court finds that there are no grounds to interfere with the impugned order. However, this Court finds it proper to observe that the Trial Court shall proceed with the suit without influenced by any of the observations made either in the impugned orders or in the present revision petition and shall independently address the merits with reference to the material that may be placed before it by both parties during the trial.

Result:

10. In the result, the Civil Revision Petition is dismissed but the following observations:

(i). The Trial Court shall dispose of the suit on its own merits without influenced by any observations made either in the impugned order or in the present proceedings by this Court.

(ii). The Trial Court is requested to dispose of the suit as early as possible and both parties are directed to cooperate.

(iii). There shall be no order as to costs.

11. Consequently, pending miscellaneous applications, if any, shall stand closed.

A. HARI HARANADHA SARMA, J

Date:30.10.2026
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Whether the order is:

Speaking		Reasoned	✓
Reportable		Non-reportable	✓

HON'BLE SRI JUSTICE A. HARI HARANADHA SARMA

C.R.P.No.2388 of 2019

30.10.2026

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