APHC010273312025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3330]**
(Special Original Jurisdiction)

FRIDAY, THE 30th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

CIVIL REVISION PETITION NO: 3132/2026

Between:

1. STATE OF AP, REP. BY THE DISTRICT COLLECTOR, KADAPA.
2. THE REVENUE DIVISIONAL OFFICER,, KADAPA.
3. THE TAHSILDAR,, C.K. DINNE MANDAL.

...PETITIONER(S)

AND

1. MAKAM ANNAIAH CHETTY, S/O. PITCHAIAH, HINDU, AGED ABOUT 66 YEARS. CULTIVATION R/O. D. NO. 18/210, SANJEEVA KONDAIAH STREET, PRODDATUR, KADAPA DISTRICT, ANDHRA PRADESH.
2. THE DISTRICT REGISTRAR OF ASSURANCES, KADAPA.
3. THE JOINT SUB REGISTRAR OF ASSURANCES, KADAPA RURAL.(THE RESPONDENT NOS.2 AND 3 ARE FORMAL PARTY NO RELIEF IS SOUGHT AGAINST THEM IN THE EP)

...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 to returned endorsement dated.30.12.2024 passed in EA.No. of 2024 in EP. No.240 of 2021 in OS.No. 452/2017 on the file of Principal Junior Civil Judge, Kadapa,

IA NO: 1 OF 2026

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 condone the delay of 489 days in re-presenting the CRP in CRPSR. No. 20359 of 2025 filed againk the decree and judgment dated 18.11.2017 passed in E.A. No. of 2024 in E.P. No.240 of 2021 in O.S. No. 452 of 2017 on the file of the Principal Junior Civil Judge, Kadapa,

IA NO: 2 OF 2026

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 stay of all further proceedings pursuant to the order & decree passed in OS No.452/2017, dated.18.11.2017,

Counsel for the Petitioner(S):

1. GP FOR ARBITRATION

Counsel for the Respondent(S):

1.

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

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ORDER:

The 1st respondent herein filed a Suit *vide* O.S.No.452 of 2017 on the file of learned Principal Junior Civil Judge, Kadapa, seeking declaration of right and title and for consequential permanent injunction. The said suit was decreed ex parte *vide* Judgment and Decree dated 18.09.2017. Subsequently, the 1st respondent also filed Execution Petition *vide* E.P.No.240 of 2021 under Order XXI Rule 32 of the Code of Civil Procedure, 1908 (hereinafter for short 'C.P.C.').

2. While so, the petitioners filed two interlocutory applications, one under Section 5 of the Limitation Act, 1963 along with Order IX Rule 13 of C.P.C. to set aside the *ex parte* decree and the other under Order XXI Rule 26 of C.P.C. for stay of all further proceedings in E.P.No.240 of 2021 on the file of learned Principal Junior Civil Judge, Kadapa. However, Order XXI Rule 26 application was returned by the Office of the learned trial Court *vide* endorsement dated 20.01.2025. Assailing the same, the present Civil Revision Petition is filed under Article 227 of the Constitution of India.

3. Heard learned Government Pleader for Arbitration appearing on behalf of the petitioners.

4. Without going into merits of the case, the Office of the learned trial Court is directed to register the Interlocutory Application filed by the petitioners under Order XXI Rule 26 of C.P.C. and the learned trial Court shall pass appropriate orders on merits, in accordance with law.

5. Accordingly, the present Civil Revision Petition is disposed of. There shall be no order as to costs.

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

JUSTICE TARLADA RAJASEKHAR RAO

Date: 30.10.2026

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THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

CIVIL REVISION PETITION No.3132 of 2026

Date: 30.10.2026

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