APHC010453772026

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

WEDNESDAY, THE 4th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

CIVIL REVISION PETITION NO: 2414/2026

Between:

1. PUTTUPOGULA PEDDA REDDEPPA, S/O PALA KONDAIAH ,68 YEARS, R/O D.NO.2-250-A-1-8, RAMIREDDDY LAY OUT,NEERUGATTUVARIPALLE, MADANAPALLE TOWN AND MANDAL,ANNAMAYYA DISTRICT.

2. PATTUPOGULA CHINNA REDDEPPA, S/O PALA KONDAIAH,AGED 64 YEARS, R/O D.NO.2-250-13, RAMIREDDY LAYOUT,NEERUGATTUVARIPALLE, MADANAPALLE TOWN MANDAL,ANNAMAYYA DISTRICT.

...PETITIONER(S)

AND

1. PATTUPOGULA SUBHADRAMMA, W/O PALA KONDAIAH, 73 YEARS, R/O KANDREDDIGARIPALLE,H/O NOOLIVEEDU VILLAGE, GALIVEEDU MANDAL, NOW R/OD.NO.2-250-20/5/7/C, RAMIREDDY LAY OUT, NEERUGATTUVARIPALLE,MADANAPALLE TOWN AND MANDAL, ANNMAYYA DISTRICT-516267

2. PATTUPOGULA JAGANNADHA, S/O PALAKONDAIAH, 49 YEARS, R/O KANDREDDIGARIPALLE,H/O NOOLIVEEDU VILLAGE, GALIVEEDU MANDAL, NOW R/OD.NO.2-250-20/5/7/C, RAMIREDDY LAY OUT, NEERUGATTUVARIPALLE,MADANAPALLE TOWN AND MANDAL, ANNMAYYA DISTRICT-516267

3. PATTUPOGULA SANKARAPU ANASUYAMMA, W/O SREENIVASULU,AGED 57 YEARS, R/O KANDREDDIGARIPALLE, H/O NOOLIVEEDU VILLAGE,GALIVEEDU MANDAL, ANNAMAYYA DISTRICT-517325

4. PATTUPOGULA CHANDRA MOHAN, S/O PALA KONDAIAHAGED 43 YEARS, R/O KANDREDDIGARIPALLE,H/O NOOLIVEEDU VILLAGE, GALIVEEDU MANDAL, NOW R/OD.NO.2-250-20/5/7/C, RAMIREDDY LAY OUT, NEERUGATTUVARIPALLE,MADANAPALLE TOWN AND MANDAL, ANNMAYYA DISTRICT-516267

5. VELPULA CHITTEMMA, W/O REDDAIAH,AGE NOT KNOWN, R/O D.NO.2-250-21/F-2,RAMIREDDY LAY OUT, NEERUGATTUVARIPALLE, MADANAPALLETOWN MANDAL, ANNAMAYYADISTRICT- 517325

...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 the above named Petitioners beg to present this Memorandum of Civil Revision Petition having been aggrieved by the Order dated 15.04.2026 passed in C.M.A. No.8 OF 2024 on the file of Hon'ble V Additional District Judge, Rayachoty, confirming the order dated 18.7.2024 passed in I.A.No.240 of 2023 in O.S.No.38 of 2023 on the file of Hon'ble Civil Judge Junior Division, Lakkireddypalle, YSR Kadapa District

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 passed in C.M.A.No.8 OF 2024, on the file of Hon'ble V Additional District Judge, Rayachoty, pending disposal of the Civil Revision Petition and pass

Counsel for the Petitioner(S):

1. M SIVA JYOTHI

Counsel for the Respondent(S):

1. VIVEKANANDA VIRUPAKSHA

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

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ORDER:

The respondent Nos.1 to 4 herein filed a suit for partition in O.S.No.38 of 2023 on the file of the learned Junior Civil Judge, Lakkireddypalle, and also filed I.A.No.240 of 2023 under Order XXXIX Rules 1 and 2 read with Section 151 C.P.C., seeking to grant an injunction in their favour and against the respondents/defendants, restraining them from alienating the suit schedule property or creating any sham and nominal documents in favour of third parties, pending disposal of the suit.

2. The trial Court disposed of I.A.No.240 of 2023 *vide* order dated 18.07.2024, directing both the petitioners/plaintiffs and the respondent Nos.1 to 4/defendants not to alienate the suit schedule property till disposal of the suit, on the ground that alienation of property during the pendency of the suit may lead to multiplicity of proceedings and conflicting decisions.

3. Challenging the order dated 18.07.2024 passed in I.A.No.240 of 2023, the appellants/defendants filed C.M.A.No.08 of 2024 before the V Additional District Judge, Rayachoty. The lower appellate Court, while dismissing the Civil Miscellaneous Appeal *vide* order dated 15.04.2026, observed that the respondent Nos.1 to 4/plaintiffs had made out a prima facie case in their favour.

4. Challenging both the orders passed by the trial Court in I.A.No.240 of 2023 and the lower appellate Court in C.M.A.No.08 of 2024, the present Civil Revision Petition has been filed on the ground that both the Courts erroneously failed to consider the documentary evidence marked as Exs.R1 to R4, produced by the defendants, in proper perspective. The appellate Court rightly dealt with Exs.R1 to R4 and observed that the documents were obtained subsequent to the filing of the suit and eventually dismissed the appeal *vide* order dated 15.04.2026.

5. Learned counsel for the respondent Nos.1 to 4/defendants would submit that both the Courts concurrently passed orders directing both the parties not to alienate the suit schedule property till disposal of the suit. It is further submitted that this Court, while exercising supervisory jurisdiction under Article 227 of the Constitution of India, does not act as a Court of first appeal to reappreciate, reweigh the evidence or facts upon which the determination under challenge is based. Supervisory jurisdiction is not to correct every error of fact or even a legal flaw when the final finding is justified or can be supported. The High Court is not to substitute its own decision on facts and conclusion, for that of the inferior court or tribunal. In support of his contention, learned counsel placed reliance on the judgment of the

Hon'ble Apex Court in the case of ***M/s.Garment Craft Vs. Prakash Chand Goel***[1].

6. If the suit schedule property is alienated either by the petitioners/plaintiffs or by the respondents/defendants, it would cause prejudice to either party. Therefore, the trial Court has rightly granted an injunction to avoid the future complications.

7. Therefore, this Court finds no merit in the Civil Revision Petition. As rightly argued by the learned counsel for the respondents, the scope of interference by this Court under Article 227 of the Constitution of India is limited and this Court does not find any perversity in the orders passed by both the Courts.

8. Accordingly, the Civil Revision Petition is dismissed. There shall be no order as to costs.

9. As the plaintiffs are the Senior Citizens, the Court below is directed to dispose of the suit preferably within a period of one year from the date of receipt of a copy of this order.

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

JUSTICE TARLADA RAJASEKHAR RAO

Date: 04.11.2026
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Dt.04.11.2026
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