APHC010481722026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

FRIDAY, THE 6th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

CIVIL REVISION PETITION NO: 2592 OF 2026

Between:

1. U Raghava Swamy, S/o. Late Venkata Subbayya,aged 61 years, r/at D.No.14-6-12/3,Rajeswari Nilayam, Road No.2,Banoji Thota, B.C.Road, Gajuwaka,Visakhapatnam-530026.

...PETITIONER

AND

1. D Srinivasa Rao, ,S/o. Late Venkata Ramana, aged 47 years,r/at D.N0.6-8O-I/6A, Datta Sai Nagar,Gajuwaka, Visakhapatna

...RESPONDENT

Petition under Article 227 of the Constitution of India/ Section 115 of CPC, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to begs to present this Memorandum of Civil Revision Petition to this Honble Court, against the Order dated 21.07.2026 in I.A No.27 of 2026 in O.S.No.56 of 2022 on the file of the Principal Civil Judge Senior Division, Gajuwaka,

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 pleased to stay all further proceedings in O.S.No.56 of 2022 on the file of the

Principal Civil Judge (Senior Division), Gajuwaka, pending disposal of the above revision petition in the interest of justice.

Counsel for the Petitioner: G RAMA GOPAL

Counsel for the Respondent P GOPALA KRISHNA

The Court made the following order:

THE HON'BLE SRI JUSTICE BATTU DEVANAND

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ORDER:

1. This Civil Revision Petition is filed against the order, dated 21.07.2026 in I.A.No.27 of 2026 in O.S.No.56 of 2022 on the file of the Principal Civil Judge (Senior Division), Gajuwaka.

2. The petitioner is the defendant and the respondent is the plaintiff in the Suit in O.S.No.56 of 2022 filed for cancellation of sale certificate issued by the Junior Civil Judge, Gajuwaka, dated 17.03.2006 in favour of the defendant in E.P.No.188 of 2004 in O.S.No.305 of 1991. The plaintiff filed interlocutory application in I.A.No.27 of 2026 under Order XVI Rule 6 read with Section 151 C.P.C., praying to issue summons to the Sub-Registrar, Gajuwaka, to produce original registered sale deeds vide document Nos.(1) P19/1999, dated 02.02.1999 and (2) P3111/2002, dated 05.06.2002, before the trial court to give evidence, marking of documents in I.A.No.611 of 2022 in O.S.No.56 of 2022. I.A.No.611 of 2022 is filed praying to grant *ex parte* ad-interim injunction restraining the respondent, his men, agents from interfering with peaceful possession and enjoyment of the plaintiff.

3. The trial court having heard both sides, opined that though some documents have filed before the court in I.A.No.611 of 2022. But, the documents now sought to be produced by the Sub-Registrar are not filed in the court. However, counter-affidavit filed by the respondent denying

the averments made in the petition and contends that only to direct the persons, this petition is filed. But, without marking of the documents, the matter cannot be adjudicated as the Suit is filed for declaration. The trial court came to the conclusion that no prejudice would be caused to the respondent, if the petition is allowed. Accordingly, I.A.No.27 of 2026 is allowed by the trial court, by order, dated 21.07.2026.

4. Mr.G.Rama Gopal, learned counsel for the petitioner contends that the documents sought to be produced by the court through the Sub-Registrar are not registered documents and as such, the unregistered documents should not be called for, for production in the court. Even the documents are produced, those documents are not admissible to mark as exhibits in the evidence. Those documents can be considered for collateral purpose only.

5. Learned counsel further submits that summoning the Sub-Registrar, Gajuwaka, to produce those unregistered sale deeds would not serve any purpose for adjudication of the issues in the Suit.

6. On the other hand, Mr. P.Gopal Krishna, learned counsel for the respondent, would submit that as per the order of the court, those documents are registered by the Sub-Registrar. But, those documents are not released due to the pendency of the House Committee. Once the documents are registered, they can be produced by the Sub-Registrar to mark them during recording of evidence. He further contends that no prejudice would be caused to the petitioner, if the documents are sought

to be produced before the court through the Sub-Registrar to adduce his evidence.

7. Having considered the submissions of both the counsel, it appears that the documents sought to be marked before the court through the Sub-Registrar are sale deeds *vide* document Nos.(1)P19/1999, dated 02.02.1999 and (2)P3111/2002, dated 05.06.2002. Upon perusal of the particulars of the documents mentioned in the petition and in the order of the trial court, we are unable to understand whether those documents are registered or unregistered. The Sub-Registrar only can disclose the fact in that regard.

8. In view of the same, in our considered opinion, there is no irregularity or infirmity in the order passed by the trial court while allowing the petition in I.A.No.27 of 2026 and issuing summons to the Sub-Registrar, Gajuwaka to produce those documents and to give evidence. In our view, the evidence of Sub-Registrar with regard to the fact that registration of those documents are very helpful for proper adjudication of the issue before the trial court.

9. Therefore, we do not find any reason to interfere into the order, dated 21.07.2026 passed in I.A.No.27 of 2026.

10. Accordingly, the Civil Revision Petition is dismissed. However, it is made clear that the petitioner/defendant is at liberty to raise objections with regard to marking of the said documents as exhibits, if it is found that

those documents are not registered as per the evidence of the Sub-Registrar.

11. There shall be no order as to costs.

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

JUSTICE BATTU DEVANAND

Dated: 06.11.2026
PKR

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

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Dated: 06.11.2026
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