APHC010489612026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3329]**
(Special Original Jurisdiction)

TUESDAY, THE 13th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

CIVIL REVISION PETITION NO: 2620/2026

Between:

1. SHIAK NOORUNNISA, W/O. LATE ABDUL SATTAR,AGED ABOUT 70 YEARS,R/O. D.NO.7/494, 0PP. FOREST OFFICE,CUMBUM ROAD, MARKAPUR TOWN AND MANDAL,PRAKASAM DISTRICT-523316.
2. SHIAK SHAMMUNISA, W/O. LATE SALEEM,AGED ABOUT 55 YEARS,R/O. D.NO.7/42220-B,NEAR PANGURANGA SWAMY TEMPLE,MARKAPUR TOWN AND MANDAL,PRAKASAM DISTRICT-523316.
3. SHAIK ABDUL RAHIMAN, S/O. LATE ABDUL SATTAR,AGED ABOUT 47 YEARS,R/O. D.NO.7/494, 0PP. FOREST OFFICE,CUMBUM ROAD, MARKAPUR TOWN AND MANDAL PRAKASAM DISTRICT-523316.
4. SHAIK ABDUL SUBHAN, S/O. LATE ABDUL SATTAR,AGED ABOUT 40 YEARS,R/O. D.NO.7/494, 0PP. FOREST OFFICE,CUMBUM ROAD, MARKAPUR TOWN AND MANDAL,PRAKASAM DISTRICT-523316.
5. SHAIK ABDUL RASOOL, S/O. LATE ABDUL SATTAR,AGED ABOUT 41 YEARS,R/O. D.NO.7/494, OPP. FOREST OFFICE,CUMBUM ROAD, MARKAPUR TOWN AND MANDAL,PRAKASAM DISTRICT-523316.

...PETITIONER(S)

AND

1. SYED MUNTAZ, W/o. Syed Nayab Rasool,Aged about 45 years, R/o.D.No.1-25,Opp Head Post Office, Gorlagadda Street,MarkapurTown and Mandal,Prakasam District-523316.

...RESPONDENT

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 toThe plaintiff therefore prays that the Honble court may be pleased to pass a preliminary decree and judgment in favour the plaintiffs and against the defendants,a By granting a preliminary decree for a partition of the plaint schedule properties into 9 shares and to allot 1/9 share to the plaintiff and l/9th share to the defendants1 and 2, 2/9th share each to the defendants 3 to 5.b To fix the specified property of the plaintiff on the separate petition filed for final decree by the plaintiffs and c.To direct the defendants to give the plaintiff share in the plaint schedule property and to deliver the possession in favour of the plaintiff, in default deliver the possession to the plaintiff through process of court d. To award mean profits and order for payment of the same in favour of the plaintiffe To award the costs of the plaintiff and to grant such other and appropriate reliefs as this honourable court deems fit and proper, in the interest of justice.

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 Direct the Hon'ble Principal Junior Civil Judge, Markapur to dispose of the suit in OS. No.654/2022 as early as possible within a period of 3 months

Counsel for the Petitioner(S):

1. G VENKATA REDDY

Counsel for the Respondent:

1.

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

CIVIL REVISION PETITION NO.2620 OF 2026

ORDER:-

This Civil Revision Petition is filed under Article 227 of the Constitution of India, in not disposing of the suit in O.S.No.654 of 2022 on the file of Principal Junior Civil Judge, Markapur.

2. Heard Sri G. Venkat Reddy, learned counsel for the petitioners.

3. Learned counsel for the petitioner has filed proof of service. Though the notice has been served on the respondent, none appears on behalf of the respondent.

3. It is the contention of Sri G. Venkata Reddy, learned counsel appearing for the petitioners that, the Trial Court is erroneous in keeping the suit pending, without disposing the same in accordance with law. He contends that the Court below ought not to have granted adjournments liberally to the respondent for commencement of trial since 2024 without looking into the fact that the respondent has been procrastinating the matter, for one reason or the other. Finally, he contends that, Petitioner Nos.1, 3, 4 & 5 who are suffering with serious ailments, the respondent having filed suit for partition claiming share in the plaint schedule properties, is interfering with the property of the petitioners.

4. Therefore, in view of the urgency expressed by the learned counsel for the petitioners that the petitioners are suffering with serious ailments. It is also observed that since two years matter has been posting for trial, but not

commenced so far, in the absence of competition or stay orders. It is at the wisdom of the Presiding Officer, whether matter can be adjourned or not and reasons stated before the Court is reasonable or not the court should grant adjournments unnecessarily and without proper reasons. Hence, it is a fit case to pass an order for expeditious disposal of the suit. Therefore, the learned Principal Junior Civil Judge, Markapur, is directed to decide O.S.No.654 of 2022, as expeditiously as possible, without granting any unnecessary adjournments.

5. With the above observation, the Civil Revision Petition is disposed of. No costs.

6. Consequently, miscellaneous applications pending, if any, shall also stand closed.

JUSTICE VENKATESWARLU NIMMAGADDA

Date: 13-10-2026
SP/BSM

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

CIVIL REVISION PETITION NO.2620 OF 2026

Date: 13-10-2026

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SP/BSM