Date of reserved for orders : 16.10.2026
Date of pronouncement : 02.11.2026
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APHC010540882026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3331]
(Special Original Jurisdiction)

MONDAY, THE 2ND DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

CIVIL REVISION PETITION NO: 2961/2026

Between:

1. MANGILIPUDI VENKATESWARA REDDY, S/O.SANKARA REDDY, AGED ABOUT 68 YEARS,R/O.D.NO.11-27-10, BADDIPUDIVARI STREET,RAMAMURTHYPET, KAVALI TOWN,SPSR NELLORE DISTRICT.

...PETITIONER

AND

1. ARIKTLA SUDHAKAR RAO, S/o.Bala Ramaiah, aged about 63 years, R/o. Flat No.513, Vajra Towers, 1 Lane, Chuttugunta, Rama Krishna Nilayam, Guntur District.

...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 to aggrieved by not numbering the interlocutory application CF.No.1405 dated 09.07.2026 in O.S.No.21 OF 2017 on the file of I AddI District Judge, Nellore

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 dispense with the filing of Certified Copy of petition and affidavit in CF.No.1405 dated 09.07.2026 in O.S.No.21 OF 2017 on the file of I AddI District Judge, Nellore

Counsel for the Petitioner:

1. C SUBODH

Counsel for the Respondent:

1.

The Court made the following:

ORDER

Heard Sri C. Subodh, learned counsel for the petitioner.

2. Aggrieved by the repeated return of I.A.C.F.No.1405, dated 09.07.2026, the sole defendant in O.S.No.21 of 2017 on the file of the I Additional District Judge, Nellore, filed the above civil revision petition (hereinafter referred to as 'revision') under Article 227 of the Constitution of India.

3. The respondent, being the plaintiff, filed O.S.No.21 of 2017 against the petitioner/defendant seeking recovery of the amount.

4. Pending the suit, the petitioner/defendant filed I.A.C.F.No.1405 under Section 39(1) of BSA (Section 45 of the Indian Evidence Act) to send the disputed signatures of the petitioner/defendant on Ex.A1-promissory note, dated 17.02.2014 along with contemporary admitted signatures of the petitioner/defendant on 1) cheque bearing No.374628, dated 01.06.2015 drawn on Indian Bank, Gandhi Nagar, Vijayawada, 2) request letter, dated 23.01.2014 submitted to the office of the SSC/Works/RYP/South Central Railways, 3) permission letter dated 23.01.2014 issued by office of the CWM

Wagon workshop, Mechanical Branch, Guntupalli, 4) cheque bearing No.003036 dated 20.06.2015 relating to the account of the petitioner/defendant at Bank of Baroda, Kavali and 5) account opening from relating to the account 37130100000797 at Bank of Baroda, Kavali of the petitioner/defendant to the Central Forensic Science Laboratory, Ramanthapur, Hyderabad, State of Telangana, for comparison.

5. Perused the record.

6. As seen from the record, the said petition was returned with the following endorsement:

> "Contemporary signatures have to be filed.
> Hence returned."

7. The learned counsel for the petitioner/defendant represented the petition on 19.08.2026, by endorsing as under:

> "Since the petitioner/defendant filed a separate application along with this application to sent for the documents containing the contemporary signatures of the petitioner/defendant and as such no other contemporary signatures are required to be filed. Hence, the above objection complied herewith."

8. The petition was again returned on 25.08.2026, stating that the previous objection not complied.

9. Learned counsel for the petitioner/defendant resubmitted the same on 16.09.2026, by endorsing as under:

> "In view of the citation of the Hon'ble Supreme Court, comparison of the disputed signature by Hand Writing expert is essential as delivered in judgment in a case between

> Thiruvengada Pillai Vs. Navaneethammal & Anr. The said citation is enclosed herewith."

10. However, the office again returned the petition on the same day stating as under:

> "Previous objection not complied with properly. to be complied."

11. Thus, as seen from the events narrated supra, the petition was returned on two occasions; the learned counsel for the petitioner/defendant represented the petition on 19.08.2026 and 16.09.2026. Returning the petition for the third time is unwarranted. The court shall avoid the repeated return of a petition. See: **Jillellamudi Jagadeesh and another Vs Jillellamudi Subbayamma and others**[1] and **Gorripati Veera Venakata Rao Vs Ethalapaka Vanaja and others**[2]

12. In the case at hand, the petition was returned thrice. If the trial court is not satisfied with the endorsement, it ought to have passed a speaking/judicial order after hearing the learned counsel for the petitioner, instead of returning the petition.

13. This Court in **M.V. Krishna Reddy v. Google LIC, Rep. by its Authorized Signatory)**[3] observed as under:

> "…repeated return of the plaint is impermissible. The Court shall also indicate which objection was not complied with whenever the objections were complied with, as per the learned counsel. The Court shall, after one or two returns, hear the counsel and pass a judicial order."

[1] 2023(6) ALT 16
[2] 2025(5)ALD 784
[3] 2026 SCC OnLine AP 1801

14. Given the facts and circumstances of the case, this Civil Revision Petition is disposed of, giving liberty to the petitioner/defendant to resubmit the I.A.C.F.No.1405 dated 09.07.2026 to the trial Court by making an endorsement. If the trial court is satisfied with the endorsement, the I.A. be numbered and proceed in accordance with law. If the trial court is not satisfied with the endorsement, the trial Court shall hear and pass a judicial order, strictly in accordance with law. No order as to costs.

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

JUSTICE SUBBA REDDY SATTI

Date: 02.11.2026
IKN

Whether the order is :

Speaking Yes/No / Reasoned Yes/No

Reportable Yes/No / Non-Reportable Yes/No