



(FRESH NOTICE)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE NINTH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE

:PRESENT:
THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

CIVIL REVISION PETITION NO: 150 OF 2023

Between:

1. Kodali Padma Tulasi, W/o Venkata Subbarao, R/o Bhagyanagar, Ongole, Prakasam District, A.P.
2. Mundru Lakshmi Seetharavamma,, W/o Seshaih, 60 Feet Road, Ongole, Prakasam District, A.P.
3. Mundru Madhavilatha, W/o Adusumilli Nagaiah, R/o Lambadi Donka, Ongole Prakasam District, A.P.
4. Mundru Padmavathi, W/o Seshaih, R/o Yelamanda Village, Narasaropet, Guntur District.
5. Mundru Sudha, D/o Late Sessaiah, R/o Yelamanda Village, Narasaropet, Guntur District.
6. Mundru Veeranjanyulu, S/o Late Sessaiah, R/o Yelamanda Village, Narasaropet, Guntur District.

Petitioners/Defendants No. 6, 40 to 44

AND

1. Inabathina Samuel, S/o Sri I Veeraiah Hindu aged 53 years, Occ. Mason, R/o Chirala, Prakasam District, AP.
2. Inabathina Prasad, S/o Sri I Veeraiah Hindu aged 38 years, Occ. Mason, R/o Chirala, Prakasam District, AP.

Defendants 3 & 4

3. Inabathina Yedukondalu, S/o Sri I Lakshmaiah, Hindu, aged 58 years, Occ. Mason and Advocate R/o Gaddalaguntapalem Village, Ongole, Prakasam District, Andhra Pradesh.
4. Inabathina Subba Rao, S/o Sri I Lakshmaiah Hindu aged 55 years, Occ. Mason and Advocate R/o Godugupalem, Ongole, Prakasam District, Andhra Pradesh.

Plaintiffs 1 & 2

5. I VENKATESWARLU, (Died)
6. Inabathina Subba Rao, (Died)
7. Bathina Venkata Rao, Mason, R/o Chirala, Prakasam District, AP
8. Thunugunta Sambasiva Rao, (DIED)
9. Inabathina Subbamma, (DIED)
10. Annabathula Suguna, W/o Sri A Krishna Murthy, Hindu aged 47 years, Occ. Mason, R/o Vitalnagar, Chirala, Prakasam District, AP
11. Bellamkonda Chinnammai, W/o Sri B Nancharaiah, Hindu, aged 43 years, Occ. Mason, R/o Vitalnagar, Chirala, Prakasam District, AP
12. Bathina Suneetha, W/o Sri B Venkata Rao, Hindu, aged 48 years, Occ. Mason, R/o Vitainagar, Chirala, Prakasam District, AP

13. Bathina Nagamma, W/o Sri B Punnaiah, Hindu, aged 53 years, Occ Mason, R/o Chirala, Prakasam District, AP
14. Bathina Punnaiah, (DIED)
15. Inabathina Rarnanamma, W/o Sri I Venkateswarlu, Hindi), aged 53 years, Occ Mason, R/o Vitalnagar, Chirala, Prakasam District, AP
16. Penuboyina Venkayamma, W/o Sri P Venkata Rao, Hindu, aged 42 years, R/o Annavaipadu, Ungole, Prakasam District AP
17. Bathina Venkaiah, W/o Sri B Venkatesarlu, Hindu, aged 44 years, R/o Ongole, Prakasam District, AP
18. Mundru Seshiah, (DIED)
19. Thata Suresh, S/o Sri T Satyanarayana, Hindu, Occ. Employee, R/o Bangalore, Karnataka State
20. Inabathina Parvathi, W/o Late Sri I Subba Rao, Hindu, Occ Housewife, R/o Rajahmundry, East Godavari District, AP
21. Inabathina Ramesh, S/o Late Sri I Subba Rao, Hindu, Occ. Mason, R/o Rajahmundry, East Godavari District, AP
22. Inabathina Badraiah, S/o Late Sri I Subba Rao, Hindu, aged 28 years, Occ. Mason, R/o Rajahmundry East Godavari District, AP
23. Kotari Srinivasa Rao, S/o Sri K Ramaiah, Hindu, aged 46 years, R/o 1st Lane Gopal Nagar, Ongole, Prakasam District., AP
24. Malasani Pitcha Chari, S/o Sri M Venkateswarlu, Hindu, aged 56 years, Occ. Business, R/o Ongole, Prakasam District, AP
25. Inabathina Nagaraju, S/o Late Sri I Venkatesarlu, Hindu, aged 32 years R/o Chirala, Prakasam District, AP
26. Inabathina Nageswara Rao, S/o Late Sri I Venkatoswarlu, Hindu, aged 29 years, R/o Chirala, Prakasam District, AP
27. Inabathina Venkata Narasamma, W/o Sri I Prasad, Hindu, aged 38 years, Occ. Housewife, R/o Desaipeta, Vetapalem Mandal, Prakasam District, AP
28. Chennupalli Sridevi, W/o Sri Ch Srinu, Hindu, aged 35 years, Occ Housewife R/o Desaipeta, Vetapalem Mandal, Prakasam District AP
29. Chilla Venkateswara Rao, S/o Sri Ch Venkaiah, Hindu, aged 52 years, R/o Gaddalagunta, Ongole, Prakasam District, AP
30. Bathina Sailaja, W/o Late Sri B Venkateswarlu, Hindu, Occ. Housewife, R/o Nehrunagar, 3rd Lane, Guntur, Guntur District, AP
31. Bathina Bharathi, D/o Late B Venkateswarlu, Hindu, aged 15 years, R/o Nehrunagar, 3rd Lane, Guntur, Guntur District, AP
32. Bathina Yesu Babu, S/o Late B Venkateswarlu, Hindu, aged 13 years, R/o Nehrunagar, 3rd Lane, Guntur, Guntur District, AP
33. Nalamalapu Subba Reddy, S/o Sri N Venkateswarlu, Hindu, aged 39 years, R/o Guravareddypalem, S N Padu Mandal, Prakasam District, AP
34. Mandalapu Kondaiah, (died)
35. Pokala Kotaiah, S/o Sri P Yallamanda, Hindu, aged 62 years, Occ Business, R/o Bandlamitta, Ongole, Prakasam District, AP
36. Ganiseti Sailaja, D/o G Sarnbasiva Rao, Hindu, aged 29 years, R/o Gundala, Vijayawada City, Krishna District, AP
37. Berla Nageswara Rao, S/o Sri B Subbarayudu, Hindu, aged 54 years, R/o Pathekhanpet, Ongole, Prakasam District, AP
38. Mandalapu Audi Lakshmi, W/o Late M Kondaiah, Hindu, aged 59 years, Occ. Housewife, R/o Door No 7323, Sambasivanagar, 1st Lane, Ongole, Prakasam District, AP

39. Mandalapu Siva Krishna, S/o Late Sri M Kondaiah, Hindu, aged 36 years, R/o Door No 7323, Sambasiva Nagar, 1st Lane, Ongole, Prakasam District, AP
40. Mandalapu Hari Krishna, Late Sri M Kondaiah, Hindu, aged 34 years, Door No 7323, Sambasivanagar, 1st Lane, Ongole, Prakasam District, AP

Respondent/s

[Respondents 5,6,8,9,14,18 and 34 died are not necessary for the purpose of this Petition.

Respondents 10,11,12,16,19,23,24,25,26,33,38 to 40 remained exparte in this main suit are not necessary for the Purpose of this Petition]

Whereas the Petitioner above named through their Advocate Sri RAMA CHANDRA RAO GURRAM presented this 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 set aside the decree and order in I.A. No. 48 of 2022 in I.A.No.55 of 2021 in O.S. No. 166 of 2002 dated 28-11-2022 passed by Additional Senior Civil Judge, Ongole and consequently allow I.A.No.48 of 2022 in I.A. No. 55 of 2021 in O.S. No. 166 of 2002;

And whereas the High Court upon perusing the petition and memorandum of grounds filed herein and the earlier Order of the High Court dated 07.02.2023 made herein and upon hearing the arguments of Sri RAMA CHANDRA RAO GURRAM Advocate for the Petitioner and of Sri PAVAN KUMAR PASUPULETI, Advocate for Respondents, directed issue of fresh notice to the Respondent Nos. 1,2,10,11,12,13,16,19,22 to 33,35,36 and 38 to 40 herein to show cause as to why this CIVIL REVISION PETITION should not be admitted.

You viz:

1. Inabathina Samuel, S/o Sri I Veeraiah Hindu aged 53 years, Occ. Mason, R/o Chirala, Prakasam District, AP.
2. Inabathina Prasad, Inabathina Prasad S/o Sri I Veeraiah Hindu aged 38 years, Occ. Mason, R/o Chirala, Prakasam District, AP.
3. Annabathula Suguna, W/o Sri A Krishna Murthy, Hindu aged 47 years, Occ. Mason, R/o Vitalnagar, Chirala, Prakasam District, AP
4. Bellamkonda Chinnammai, W/o Sri B Nancharaiah, Hindu, aged 43 years, Occ. Mason, R/o Vitalnagar, Chirala, Prakasam District, AP
5. Bathina Suneetha, W/o Sri B Venkata Rao, Hindu, aged 48 years, Occ. Mason, R/o Vitainagar, Chirala, Prakasam District, AP
6. Bathina Nagamma, W/o Sri B Punnaiah, Hindu, aged 53 years, Occ. Mason, R/O Chirala, Prakasam District, AP
7. Penuboyina Venkayamma, W/o Sri P Venkata Rao, Hindu, aged 42 years, R/o Annavaipadu, Ungole, Prakasam District AP
8. Thata Suresh, S/ o Sri T Satyanarayana, Hindu, Occ. Employee, R/o Bangalore, Karnataka State
9. Inabathina Badraiah, S/o Late Sri I Subba Rao, Hindu, aged 28 years, Occ. Mason, R/o Rajahmundry East Godavari District, AP
10. Kotari Srinivasa Rao, S/o Sri K Ramaiah, Hindu, aged 46 years, R/o 1st Lane Gopal Nagar, Ongole, Prakasam District., AP

11. Malasani Pitcha Chari, S/o Sri M Venkateswarlu, Hindu, aged 56 years, Occ. Business, R/o Ongole, Prakasam District, AP
12. Inabathina Nagaraju, S/o Late Sri I Venkatesarlu, Hindu, aged 32 years R/o Chirala, Prakasam District, AP
13. Inabathina Nageswara Rao, S/o Late Sri I Venkateswarlu, Hindu, aged 29 years, R/o Chirala, Prakasam District, AP
14. Inabathina Venkata Narasamma, W/o Sri I Prasad, Hindu, aged 38 years, Occ. Housewife, R/o Desaipeta, Vetapalem Mandal, Prakasam District, AP
15. Chennupalli Sridevi, W/o Sri Ch Srinu, Hindu, aged 35 years, Occ Housewife R/o Desaipeta, Vetapalem Mandal, Prakasam District AP
16. Chilla Venkateswara Rao, S/o Sri Ch Venkaiah, Hindu, aged 52 years, R/o Gaddalagunta, Ongole, Prakasam District, AP
17. Bathina Sailaja, W/o Late Sri B Venkateswarlu, Hindu, Occ. Housewife, R/ o Nehrunagar, 3rd Lane, Guntur, Guntur District, AP
18. Bathina Bharathi, D/o Late B Venkateswarlu, Hindu, aged 15 years, R/o Nehrunagar, 3rd Lane, Guntur, Guntur District, AP
19. Bathina Yesu Babu, S/o Late B Venkateswarlu, Hindu, aged 13 years, R/o Nehrunagar, 3rd Lane, Guntur, Guntur District, AP
20. Nalamalapu Subba Reddy, S/o Sri N Venkateswarlu, Hindu, aged 39 years, R/o Guravareddypalem, S N Padu Mandal, Prakasam District, AP
21. Pokala Kotaiah, S/o Sri P Yallamanda, Hindu, aged 62 years, Occ Business, R/o Bandlamitta, Ongole, Prakasam District, AP
22. Ganiseti Sailaja, D/o G Sarnbasiva Rao, Hindu, aged 29 years, R/o Gundala, Vijayawada City, Krishna District, AP
23. Mandalapu Audi Lakshmi, W/o Late M Kondaiah, Hindu, aged 59 years, Occ. Housewife, R/o Door No 7323, Sambasivanagar, 1st Lane, Ongole, Prakasam District, AP
24. Mandalapu Siva Krishna, S/o Late Sri M Kondaiah, Hindu, aged 36 years, R/o Door No 7323, Sambasiva Nagar, 1st Lane, Ongole, Prakasam District, AP
25. Mandalapu Hari Krishna, Late Sri M Kondaiah, Hindu, aged 34 years, Door No 7323, Sambasivanagar, 1st Lane, Ongole, Prakasam District, AP.

are be and hereby directed to show cause either appearing in person or through an Advocate on or before 31.03.2023 to which date the case stands posted as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this CIVIL REVISION PETITION should not be admitted.

The Court made the following Order:

“Learned counsel for the petitioners submitted that pursuant to the directions of this Court notices were sent to the respondents.

Insofar as Respondent Nos.3, 4 and 15 are concerned, the notices were served and acknowledgements were received.

Insofar as Respondent Nos.7, 17, 20, 21 and 37 are concerned, the notices sent were returned un-served.

Insofar as Respondent Nos.1, 2, 10, 11, 12, 13, 16, 19, 22 to 33, 35, 36 and 38 to 40 are concerned, neither the acknowledgments nor the returned covers are received.

Therefore, learned counsel for the petitioners sought permission of this Court to take out fresh notices on the Respondents Nos.1, 2, 10, 11, 12, 13, 16, 19, 22 to 33, 35, 36 and 38 to 40 as well as on their counsel appearing for them before the Court below.

Permission granted.

Issue fresh notices to Respondent Nos. 1, 2, 10, 11, 12, 13, 16, 19, 22 to 33, 35, 36 and 38 to 40.

Learned Counsel for the petitioners is permitted to take out fresh personal notices on the above respondents as well as on their counsel appearing for them before the Court below through Registered Post with Acknowledgment Due and file proof of service in the Registry.

Post on 31.03.2023.

Interim order granted earlier is extended for a period of six (06) weeks. ."

SD/- K.SRINIVAS RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

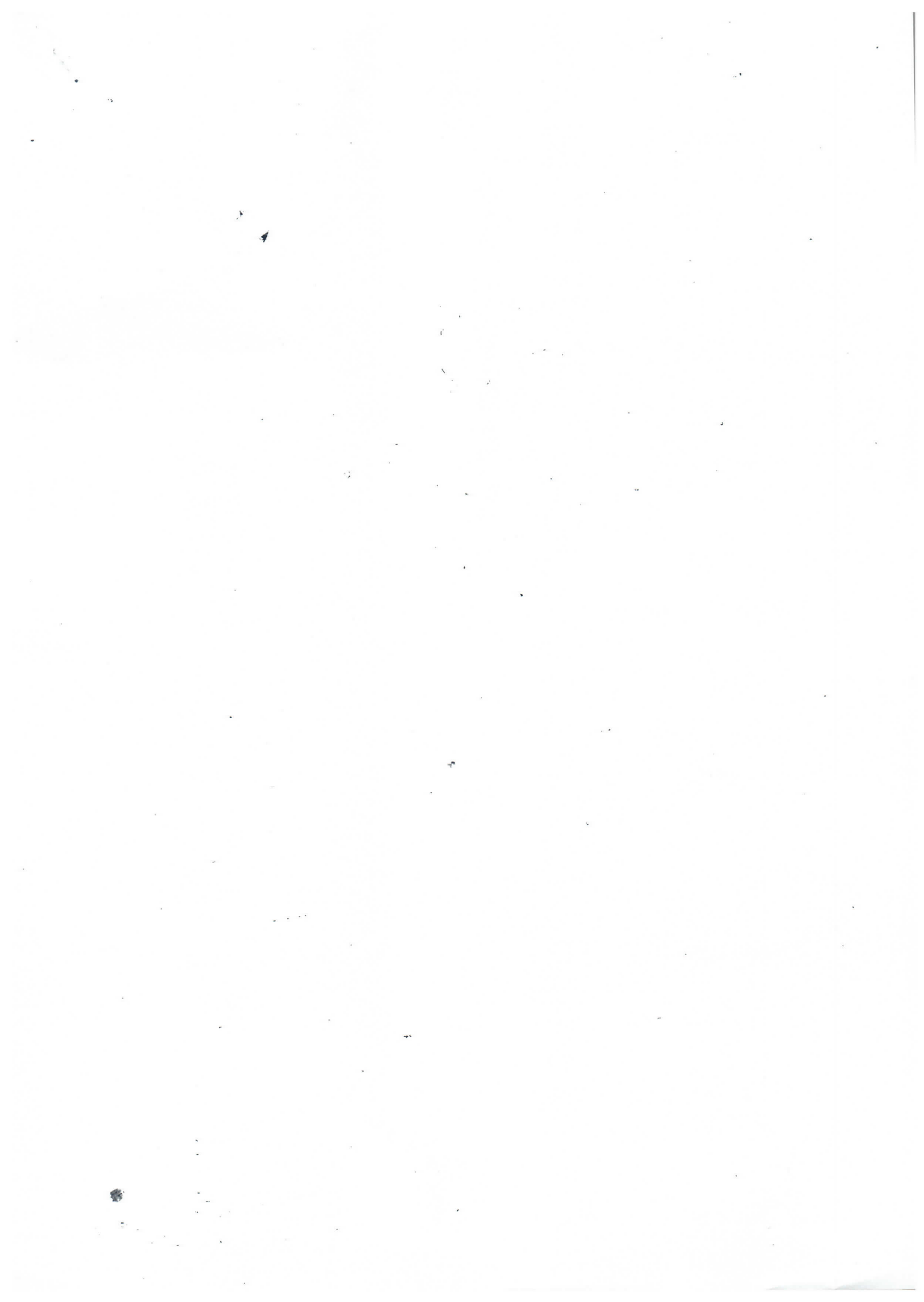
SECTION OFFICER

To,

1. Inabathina Samuel, S/o Sri I Veeraiah Hindu aged 53 years, Occ. Mason, R/o Chirala, Prakasam District, AP.
2. Inabathina Prasad, Inabathina Prasad S/o Sri I Veeraiah Hindu aged 38 years, Occ. Mason, R/ o Chirala, Prakasam District, AP.
3. Annabathula Suguna, W/o Sri A Krishna Murthy, Hindu aged 47 years, Occ. Mason, R/o Vitalnagar, Chirala, Prakasam District, AP
4. Bellamkonda Chinnammai, W/o Sri B Nancharaiah, Hindu, aged 43 years, Occ. Mason, R/o Vitalnagar, Chirala, Prakasam District, AP
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25. Mandalapu Hari Krishna, Late Sri M Kondaiah, Hindu, aged 34 years, Door No 7323, Sambasivanagar, 1st Lane, Ongole, Prakasam District, AP. (by RPAD- along with a copy of petition and memorandum of grounds)
26. One CC to SRI. RAMA CHANDRA RAO GURRAM, Advocate. [OPUC]
27. One CC to SRI. PAVAN KUMAR PASUPULETI, Advocate. [OPUC]
28. One spare copy.

psk



HIGH COURT

RC, J

DATED:09.03.2023

POST ON 31.03.2023

FRESH NOTICE

CRP.No.150 of 2023

INTERIM ORDER EXTENDED

