

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI  
FRIDAY, THE TWELFTH DAY OF JULY  
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HON'BLE SRI JUSTICE R. RAGHUNANDAN RAO  
CIVIL REVISION PETITION NO: 1096 OF 2024



Petition under Article 227 of the Constitution of India, aggrieved by the order dated 29-08-2023 made in I.A. No. 305 of 2023 in O.S. No. 268 of 2012 on the file of the court of the Additional Senior Civil Judge, Tirupati

**Between:**

Palgudi Santhamma, W/o P. Audikesavulu Naidu, Hindu, aged about 58 years Cultivation, R/at Kuchivaripalle Village, Ramireddipalle Post, Chandragiri Mandal Chittoor District.

**...Petitioner/Petitioner/Plaintiff**

**AND**

1. V. Rajamma, (Died)
2. D. Kasthuri, W/o Surendra Babu, Hindu aged about 68 years r/at D.No.10/3, Venkataramana Layout Post Office road Maruthi Seva Nagar, Bangiore-33 Karnataka State.

**...Respondents/Respondents/Defendants**

**IA NO: 1 OF 2024**

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 to grant interim stay of all further proceedings in O.S. No.268 of 2012 on the file of the court of the Additional Senior Civil Judge, Tirupati pending disposal of the above civil revision petition.

**Counsel for the Petitioner: SRI J. KRISHNA PRANEETH**

**Counsel for the Respondents: SRI D. KRISHNA MURTHY**

**The Court made the following:**



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

[3206]

FRIDAY, THE TWELFTH DAY OF JULY  
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

CIVIL REVISION PETITION NO: 1096/2024

Between:

Palgudi Santhamma

...PETITIONER

AND

V Rajamma and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. J KRISHNA PRANEETH

Counsel for the Respondent(S):

1. D KRISHNA MURTHY

2.

The Court made the following order:

The petitioner herein had filed O.S.No.268 of 2012 before the learned Additional Senior Civil Judge, Tirupati for declaration and permanent injunction restraining the respondents from interfering with the possession of the petitioner over the suit scheduled property.

2. One of the documents relied upon by the petitioner, to demonstrate ownership and possession over the property is a record of partition titled "bhagapariskhara panchayat kararunama" dated 14.07.1997.



3. At the stage of Trial, the petitioner moved I.A.No.305 of 2023 to receive two documents. The 1<sup>st</sup> document was the photocopy of the bhagapariskhara panchayat kararunama, whose original, had already been filed along with the plaint and is before the Court. The 2<sup>nd</sup> document was a pattadar adangal obtained through the Right to Information Act.

4. The Trial Court by an order dated 29.08.2023 received the pattadar adangal which was the SI.No.2 document in the petition. However, the Trial Court refused to receive the photocopy of the bhagapariskhara panchayat kararunama whose original is said to have already been filed along with the plaint.

5. Aggrieved by the said order dated 29.08.2023, the petitioner has approached this Court by way of the present Civil Revision Petition.

6. Sri J. Krishna Praneeth, learned counsel for the petitioner submits that the Trial Court should have permitted the receipt of the photocopy of the bhagapariskhara panchayat kararunama. Apart from that the main grievance of the petitioner is that the Trial Court had pronounced on the admissibility of a document when the application was for receipt of the document into Court.

7. Sri D. Krishna Murthy, learned counsel for the respondents would submit that the statement of the petitioner, in the affidavit filed in support of the application, that the original of the said bhagapariskhara panchayat kararunama was already filed along with the plaint, would be sufficient to

non-suit the petitioner on this document. He would further submit that once the original had already been filed, there was no need to file a photocopy and no explanation is forthcoming as to what was the necessity of filing a photocopy of a document which was already in the Court.

8. This Court would agree with the contention of Sri D. Krishna Murthy, learned counsel for the respondents that there was no necessity for the photocopy to be placed before the Court. However, this Court would also have to observe that the Trial Court ought not to have gone into the admissibility of the document, as the application was only to receive the document. The question of admissibility of the document would arise only at the stage of the document being marked as an exhibit.

9. In the circumstances, this Civil Revision Petition is disposed of leaving it open to the petitioner to seek to mark the original of the bhagapariskhara panchayat kararunama at which stage. It would be open to the respondent to object to its admissibility on such grounds as the respondents may rely upon. Upon such submissions the Trial Court would have to take a decision of the admissibility of the document. There shall be no order as to costs.

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

SD/- P.U.V.BHASKARA RAO  
ASSISTANT REGISTRAR

//TRUE COPY//

  
SECTION OFFICER

To,

1. The Additional Civil Judge (Senior Division), Tirupati, Chittoor District.

2. One CC to SRI. J. KRISHNA PRANEETH, Advocate [OPUC]

3. One CC to SRI. D. KRISHNA MURTHY, Advocate [OPUC]

4. Three C.D.Copies

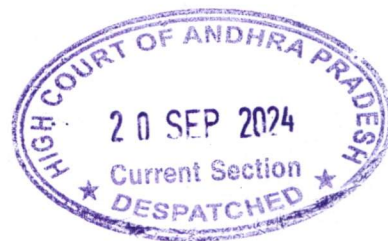
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**HIGH COURT**

**DATED:12/07/2024**

**ORDER**

**CRP.No.1096 of 2024**



**DISPOSING OF THE CRP**