

in THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

**TUESDAY, THE TWENTY FIRST DAY OF JULY,
TWO THOUSAND AND TWENTY**

:PRESENT:

THE HONOURABLE SRI JUSTICE G. SHYAM PRASAD

IA No. 1 OF 2020

IN

AS NO: 215 OF 2020

Between:

D Srinivas, S/o D Raghavulu,

....Appellant/Plaintiff
(Appellant in AS 215 OF 2020
on the file of High Court)

AND

1. Ganapathi Venkata Ramana, W/o Udayagiri Srinivasu, landlord, previously resided at D.No.4-66, Vinayak Nagar, Avilala Village and Post, Tirupathi rural mandal, Chittoor District, at present R/O. C/O.Gopinath Reddy, D.No.2-30/2, Nagireddy Colony, Peleru, Chittoor District.
2. Akula Gajendra Prasad, S/o.A.Satyanarayana, Flat No..8, D.No.13-7-914/28, Sairam Apartments, Vivekananda Street, Korlagunta, Tirupathi.
(Respondent No.2 is added as per Orders in IA. No. 172/2014 dated 16-04-2018)

...Respondents
(Respondents in-do-)

Counsel for the Petitioner : Sri P A Seshu
Counsel for the Respondents : ---

Petition under Order 39 Rule 1 & 2 of CPC r/w under Section 151 CPC praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to grant temporary injunction, restraining the respondents 1 and 2/ their men from alienating the suit schedule property in any manner whatsoever by creating third party interest, pending disposal of AS No. 215 of 2020 presented to the High Court against the Order of the Court of the X Addl. District Judge, Tirupati, passed in Os. No. 126 of 2013, dated 10-01-2020.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

The Court made the following

ORDER:

Heard the learned counsel for the petitioner.

Learned counsel for the petitioner submits that the petitioner/plaintiff filed the suit in O.S. No. 126 of 2013 for Specific Performance of Agreement of sale dated 29-02-2012. Aggrieved by the impugned judgment passed by the trial court, the petitioner/appellant/plaintiff/preferred the present appeal as the Court below failed to consider the evidence of PWs 1 and 2 in right perspective. The respondents/defendants were not examined in the suit. The petitioner/plaintiff is apprehending that the respondents may alienate the suit schedule property if he is restrained.



Considering the submissions of the learned counsel for the petitioner, there shall be interim stay of all further proceedings with regard to suit schedule property for a limited period of four (04) weeks.

In the meanwhile, the respondents are directed to file their counter.

Post this matter after four (4) weeks.

//TRUE COPY//

SD/- K. JAGAN MOHAN
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The X Addl. District Judge, Tirupathi, Chittoor District
2. Ganapathi Venkata Ramana, W/o Udayagiri Srinivasu, landlord, previously resided at D.No.4-66, Vinayak Nagar, Avilala Village and Post, Tirupathi rural mandal, Chittoor District, at present R/O. C/O.Gopinath Reddy, D.No.2-30/2, Nagireddy Colony, Peleru, Chittoor District.
3. Akula Gajendra Prasad, S/o.A.Satyanarayana, Flat No..8, D.No.13-7-914/28, Sairam Apartments, Vivekananda Street, Korlagunta, Tirupathi.
(Addressee Nos 2 and 3 by RPAD)
4. One CC to Sri. P A Seshu Advocate [OPUC]
5. One spare copy

Skm

HIGH COURT

GSP,J

DATED:21/07/2020

NOTE: POST THIS MATTER AFTER FOUR WEEKS

ORDER

**IA. No. 1 of 2020
IN
AS.No.215 of 2020**

INTERIM STAY

