OFFICE OF THE PRINCIPAL DISTRICT JUDGE:: KURNOOL

Dated 10-05-2024

Copy of Order, dated 19-04-2024 passed by the Hon'ble Supreme Court of India, New Delhi in C.A.No.5031 of 2024 in W.P.No.10350 of 2018 on the file of Hon'ble High Court of Andhra Prades at Hyderabad, is herewith communicated.

The Judicial Officers concerned are hereby requested to download the Copy of Order, dated 19-04-2024 passed by the Hon'ble Supreme Court of India, New Delhi in C.A.No.5031 of 2024 in W.P.No.10350 of 2018 on the file of Hon'ble High Court of Andhra Prades at Hyderabad, from District Court website i.e., <a href="https://kurnool.dcourts.gov.in">https://kurnool.dcourts.gov.in</a> for information.

The Judicial Officers concerned are hereby requested to submit the compliance report after downloading the above copy to this Court.

PRINCIPAL DISTRICT JUDGE.

KURNOOL.

To.

Court's Official website.

All the Judicial Officers in Kurnool District.

The Secretary, District Legal Services Authority, Kurnool.

The Senior Superintendent (Accounts), Principal District Court, Kurnool. The Stenographer Grade-I, Principal District Court, Kurnool. The Superintendent/Civil Bench Clerk, Principal District Court, Kurnool.

The System Officer, District Court, Kurnool, with a direction to upload the same in the District

## HIGH COURT OF ANDHRA PRADESH AT AMARAVATI



CIVIL APPEAL NO.5031 OF 2024

ONS CO (on the file of the Hon'ble Supreme Court of India, New Delhi)

#### **AGAINST**

WP NO.10350 OF 2018

(on the file of this High Court of A.P. at Hyderabad)

T&P.S.C. COMMUNICATION NO.124/2024

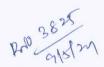
Dt: U.05.2024

I am to Communicate the copy of the order dated.19.04.2024 passed by the Hon'ble Supreme Court of India, New Delhi in C.A.NO.5031 OF 2024 for your information and necessary action.

ASSISTANT REGISTRAR

TO

- 1. The Section Officer, Writ Non-service DB, A.P. High Court, at Amaravati.
- 2. The Principal District & Sessions Judge, District Court Complex, Kurnool District, Andhra Pradesh.



# Registrar General APHC

### CA No. 5031/2024

From: SECTION XII A <sec.xiia@sci.nic.in>

**Subject**: CA No. 5031/2024

To: Registrar General APHC <reggenaphc@nic.in>

Sat, Apr 27, 2024 12:27 PM

∅1 attachment

APR 2024 45

Sir/Madam

Please, find attached herewith Order dated 19.04.2024.

Regards Branch officer Section-XII-A Contact No.011-231159395031/

**5031 of 2024.pdf** 33 KB

724



#### IN THE SUPREME COURT OF INDIA

#### CIVIL APPELLATE JURISDICTION

#### CIVIL APPEAL NO.5031 OF 2024 (@ SLP(C) No. 15184/2020)

T. RAGANNA & ORS.

APPELLANT(S)

**VERSUS** 

THE STATE OF ANDHRA PRADESH & ORS.

RESPONDENT(S)

#### ORDER

- 1 Leave granted.
- 2 By the impugned order, the request made by the appellants for amendment was rejected without assailing any reason. While the learned counsel appearing for the appellants submitted that the amendment sought to be made is only with respect to surnames and survey number.
- 3 Learned senior counsel appearing for the contesting respondent No.5 submitted that it changes the very character of the dispute.
- Signature Not Verified
  Digitally signed by
  SWETA RAI DI
  Date 2084.04 23
  17 18 55 IS
  Reason
- 4 What the appellants seek is only an amendment that too in a writ proceeding. The High Court was not right in rejecting it without even assailing any reason. The power

under Article 226 of the Constitution of India is rather wide and, therefore, the restriction and rigour of the Code of Civil Procedure, 1908 will have no bearing. If the respondents have any objection on merits, they can very well raise it. To put it differently, had the appellants filed the writ petition with the proposed amendment, then the writ petition could have been decided on merit.

- In such view of the matter, we are inclined to set aside the impugned order by allowing the application for amendment. We make it clear that all issues are left upon for the contesting respondent No.5 to raise at the time of deciding the writ petition.
- 6 The appeal is allowed. No costs.
- 7 Pending application(s), if any, shall also stand disposed of.

					J	
		RESH]				
ΓPRAS/	ANNA	BHALAG	CHANDE	RA VAR	J ALE]	

NEW DELHI; 19th APRIL, 2024