

**IN THE COURT OF VACATION CIVIL JUDGE, CAMP AT
TADEPALLIGUDEM**

In the Court of : Vacation Civil Judge :: Judge, Family Court-cum-
VII Additional District Judge, West Godavari, Eluru. camp at Tadepalligudem

Present : Dr.Yeedu Srinivasa Rao,

A Diary Dated : **12-05-2026**

S.No.	Case Type	Case proceedings
1.	O.S.No.1/2026	Issue Summons to the Defendants through court and R.P. on payment of process. Call on 25-06-2026
2.	I.A.No.3/2026 O.S.No.1/2026	Heard the learned counsel for the petitioner. This petition is filed under order 39 Rules 1 and 2 of C.P.C by the Petitioners/plaintiffs against the respondents/defendants seeking to grant injunction from alienating the petition schedule property pending disposal of the main suit. The theory of the petitioner/plaintiff is such that the defendants executed agreement of sale dated 21-02-2026 in favour of the plaintiffs to executed a regular sale deed in favour of the plaintiff in respect of the plaint schedule property and the plaintiffs are alleged to have paid and transferred an amount of Rs.50,13,913/- and alleged to have discharged more than agreed amount of the defendant debts in order to protect the reputation of the family, a fortiori. The plaintiffs and defendants are relatives and the 1st defendant is elder brother of plaintiffs. A careful reading of the recitals of the unregistered agreement dt.21-02-2026, the Plaintiffs/Petitioners have made a prima facie case to go for trial. The material available on the record also indicates that there is a family agreement among the parties and a legal notice dated 16-04-2026. The nature of payments made to the respondents/defendants is also prima facie

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		evidenced as seen from the receipts of bank transactions and by way of online/UPI mode. The specific contention of the Petitioners/Plaintiffs is such that defendants are trying to create nominal, sham, collusive and bogus documents in the name of their kith and kin and therefore, the plaintiffs seeks injunction restraining the respondents/defendants from alienating the plaint schedule property pending disposal of the above suit. Having considered the entire material available on record including the family agreement dt. 20-10-2023 and the unregistered agreement of sale dated 21-02-2026 and a numerous bank transactions/online mode payments made by the petitioners/plaintiffs, this is a case in which temporary injunction can be granted following the dicta in Perumalla Kashi Rao Vs. Nukala Murali Krishna and others, 2013 (6) ALT 222 DB wherein INJUNCTION was granted by the Hon'ble Division bench, not to alienating the schedule property in a suit for specific performance of contract and the dicta in this ruling is squarely applies to the facts of the case. In addition to that the dicta laid down J.Bala Krishna Raju Vs. J.Radha ZKrishna Raju, 2014 (4) ALT 570 wherein injunction was granted in a suit for specific performance of contract, a fortiori the dicta in recent case of Boya Kistamma Vs. Boya Suri, 2026(1) ALT 42, wherein temporary injunction was granted holding that add-interim injunction can be granted if the plaintiffs source prima facie case, balance of convenience and if injunction is not granted it would cause irreparable loss to the plaintiff.

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		All the essential ingredients under order 39 Rules 1 and 2 of C.P.C. are clearly attractive to this case and therefore, this is a case in which ad-interim injunction can be granted restraining the respondents/defendants from alienating the petition schedule property till 16-06-2026, however, this court makes it clear that further extension of injunction order would be only on hearing both sides. Issue urgent notice to the respondents/defendants on payment of process. The plaintiff shall comply Order 39 Rule 3(a) of C.P.C. Call on 16-06-2026.

Sd/- Dr.Yeedu Srinivasa Rao,
 Vacation Civil Judge,
 Judge, Family Court-cum
 VII Additional District Judge,
 West Godavari, Eluru
 Camp at Tadepalligudem