

IN THE COURT OF VACATION CIVIL JUDGE, CAMP AT ELURU

Dr.Yeedu Srinivasa Rao,

**In the Court of : Vacation Civil Judge :: Judge, Family Court-cum-
VII Additional District Judge, West Godavari, Eluru**

A Diary Dated : 19-05-2026

S.No.	Case Type	Case proceedings
1.	A.S.No.4/2026	Issue notice to respondents through Court and R.P by 18.06.2026.
2.	A.S.No.5/2026	Issue notice to respondent through Courts and R.P by 16.06.2026.
	IA.46/2026 in A.S.No.05/2026	This petition is filed U/Or.41 Rule 5 of CPC seeking to order for stay of execution of decree and judgment in O.S.No.52/2011 on the file of the learned Addl. Civil Judge (Senior Division), Eluru pending disposal of the above appeal. The theory of the appellants/defendants 1 to 7 is such that after filing of the suit, defendants 4 and 6 died intestate and after the date of decree, 2nd defendant died intestate on 22.03.2026 leaving behind the petitioners 1 to 3 who are LR's of D.2. The trial Court decreed in O.S.No.52/2011 on 25.03.2026 based on the alleged agreement for sale, dt.20.03.2000 and these appellants contended in the trial Court that this alleged agreement for sale is forged and it is outcome of surreptitious and furtive. The learned counsel for the appellants contend that if the decree is executed, it would cause irreparable loss to the defendants as they have good grounds to succeed in the above appeal and the respondent/ plaintiff is trying to grab the schedule property. The only point for consideration is whether the appellants/ petitioners have shown sufficient cause to order stay of execution of judgment and decree in O.S.No.52/2011 on the file of Addl. Civil Judge (Senior Division), Eluru, dt.25.03.2026. POINT A perusal of entire record including the appeal ground and the judgment and decree, it indicates that the trial court directed the defendants/appellant to execute regular sale deed based on the agreement of sale deed, dt.20.03.2000, within three (3) months from the date of judgment. As seen from the averments and affidavit, the theory of the petitioners/ appellants/ defendants is such that the plaintiff / respondent trying to grab the petition schedule property and the trial court did not properly considered the defence of the appellants/ defendants and they have good grounds to succeed in the above appeal. At this juncture, it is significant to see the dicta in Bokka Nagendra & others Vs Kotta

		Reddiyya and another, 2009 (4) ALD 610, wherein the court held that stay of execution of decree is have been granted on condition of depositing the decree costs within a specified time and the appeal could have been taken up for final view. Following this dicta, as the appellants/ petitioners/ defendants have shown sufficient cause U/Or.41 Rule 5 of CPC this is a case in which the stay of the execution of decree and judgment in O.S.No.52/2011 must be granted by invoking the jurisdiction U/Or.41 R.5 of CPC with a condition to the petitioners/ defendants/ appellants to deposit costs of the decree in O.S.No.52/2011 on or before 22.06.2026. I find the point in the positive. In the result, this petition is allowed granting stay of execution of the decree and judgment in O.S.No.52/2011, dt.25.03.2026 on the file of Addl. Civil Judge (Senior Division), Eluru, with a direction to deposit costs of the decree before the trial Court, on or before 22.06.2026, pending disposal of the above appeal. This court makes it clear that failure to deposits that costs on or before 22.06.2026, there would be no stay and this petition stands dismissed. Call on 22.06.2026.
3.	O.S.No.06/2026	Issue summons to defendants through Court and RP by 18.06.2026
4.	IA.49/2026 in O.S.No.06/2026	This application U/Or.39 Rule 1 and 3 of CPC by the petitioner / plaintiff seeking to grant ad-interim injunction restraining respondents/ defendants 1 to 4, their men and followers, from ever interfering with her peaceful possession and enjoyment of over the plaint schedule property. The theory of the petitioner/ plaintiff is such that the plaintiff/ petitioner is the absolute owner of the plaint schedule property i.e. Item No.2 and along with other items by virtue of regd. settlement deed vide doct.No.4995/2016, from her father i.e. 1st defendant and the 1st defendant purchased the schedule property along with other properties from D.2 and others by virtue of a regd. sale deed vide doct.No.4649/2012 and the possession and enjoyment of the plaint schedule property is only with the plaintiff/ petitioner in an extent of 443.0.0 sq yards of site out of Ac.2.33 cents vide plot No.13 in R.S.No.1117/1 situated at Chintalapudi. To establish the prima facie case, the petitioner/ plaintiff relies on certain documents. Registered partition deed, dated.15.09.2016 vide doct.No.4995/2016 and regd. sale deed, dt.07.08.2012 which is allegedly executed by one Veera Raghavulu, his son Ramu @ Ramarao and

		D.2 in favour of 1st defendant, vide doct.No.4649/2012. The 1st document of regd. partition deed stands in the name of the petitioner/ plaintiff to believe the prima facie case of petitioner. In the case of Boya Kristanna and others Vs Boya Suri, 2026 (1) ALT 42, where in the Hon'ble High Court of Andhra Pradesh held that to grant temporary injunction, the petitioner/ plaintiff must show prima facie case to for trial and balance of convenience and irreparable loss. In another case J.Bala Krishna Raju Vs J.A Radha Krishna Raju, 2014 (4) ALT 570, wherein the High Court of Andhra Pradesh held that in an application for temporary injunction, the initial onus of proof as well as the legal burden to prove a prima facie case. In the case of Perumalla Kasirao Vs Nookala Murali Krishna and others 2016 ALT 222 (Division Bench), the Hon'ble Division Bench held that the plaintiffs seeking temporary injunction must satisfied the cardinal principals of prima facie, balance of convenience and irreparable loss. Mulling over all these facts and circumstances and keeping in view the settled legal principles observed in the above cases, this is a case in which the essential ingredients of Or.39 R.1 of CPC are complied with, it is just, fair and reasonable to grant ad-interim injunction restraining the defendants/ respondents, <i>a fortiori</i>, the respondents/ defendants are trying to interfere with the peaceful possession and enjoyment of petitioner/ plaintiff, till 18.06.2026. In the result, ad-interim injunction is granted U/Or.39 R.1 of CPC restraining the respondents/ defendants 1 to 4, their men and followers, from ever interfering with her peaceful possession and enjoyment of over the plaint schedule property till 18.06.2026. However, this Court makes it clear that further extension of injunction would be on hearing both sides. The petitioner/ plaintiff shall comply with under Order 39 R.3(A) of CPC. Issue urgent notices to the respondents 2 to 4, on payment of process. Call on 18.06.2026.
5.	O.S.No.07/2026	Issue summons to defendant, posted to 16.06.2026.
6.	IA.47/2026 in O.S.07/2026	This is a petition filed by the petitioner under Order 38, R 5 and Sec.151 CPC to attach

		the petition schedule property before judgment, if the respondent/defendant failed to furnish adequate security to the suit amount and costs. The theory of the petitioner/ plaintiff is such that the respondent/ defendant is said to have borrowed Rs.5,00,000/- from the petitioner/ plaintiff on 24.08.2023 for the purpose of his family expenses and to discharge sundry debts and executed a suit promissory note, agreeing to repay the same on demand. Later on, the respondent/ defendant did not repay the debt with the petitioner/ plaintiff on demand and did not repay even if the plaintiff got issued legal notice on 14.05.2026. According to the arguments of the learned counsel for the petitioner/ plaintiff, and as mentioned in the petition and affidavit, the respondent/ defendant is trying to sell away the petition schedule property to delay the execution of the decree that may be passed against the respondent/ defendant. Perused the petition, affidavit and other material available on record. This Court is satisfied with the averments of the affidavit of the petitioner/plaintiff. As the respondent/ defendant is trying to sell away the petition schedule property to delay the execution of the decree that may be passed against the respondent/ defendant, the respondent/ defendant is directed to furnish security for the suit amount and shall show cause why he should not furnish the security within 48 hours. In the mean while, conditional attachment is ordered Under Order 38 Rule 5 of CPC over the petition schedule property. Issue attachment warrant and notice to the respondent/ defendant on payment of process. Call on 16.06.2026.
7.	O.S.No.08/2026	Issue summons to defendants, posted to 22.06.2026
8.	IA.50/2026 in O.S.No.08/2026	This application U/Or.39 Rule 1 and 3 of CPC by the petitioner / plaintiff seeking to grant ad-interim injunction restraining respondents/ defendants 1 to 3, their men, agents, representative, from ever interfering with her peaceful possession and enjoyment of over the plaint schedule property. The theory of the petitioner/ plaintiff is such that the plaintiffs are said to have purchased the plaint schedule property i.e. Items No.1 to 3

		on 15.04.2003 and 18.11.2015 and on 10.05.2026, the defendants/ respondents are said to have made vain bid to interfere with the possession and enjoyment of the petitioners/ plaintiffs. To show the prima facie the petitioners/ plaintiffs relied on regd. sale deed, dated.15.04.2003. This document stands in the name of 1st petitioner/ plaintiff and its document number is 3121/2003. There are other documents to believe the prima facie case of the petitioners/ plaintiff which are equally important in this case. Regd. sale deed dt.18.11.2015 which stands in the name of 2nd petitioner/ 2nd plaintiff and 1B account dated.15.05.2026, Aadangal dt.15.05.2026 and there is FMB relating to Item No.4 and IB account stands in the name of 2nd petitioner/ 2nd plaintiff and it is dated.15.05.2026 and Aadangal stands in the name of 2nd petitioner/ 2nd plaintiff and it is also dated.15.05.2026. All these documents indicate prima facie case to go for trial. Further, when the possession and enjoyment of the schedule properties are only with the petitioners/ plaintiffs, as prima facie evinced, this is a case in which ad-interim injunction must be granted restraining the respondents/ defendants as sought for, if not, it would cause irreparable loss to the petitioners/ plaintiffs. Curiously enough, in the case of Boya Kristanna and others Vs Boya Suri, 2026 (1) ALT 42, where in the Hon'ble High Court of Andhra Pradesh held that to grant temporary injunction, the petitioner/ plaintiff must show prima facie case to for trial and balance of convenience and irreparable loss. In another case J.Bala Krishna Raju Vs J.A Radha Krishna Raju, 2014 (4) ALT 570, wherein the High Court of Andhra Pradesh held that in an application for temporary injunction, the initial onus of proof as well as the legal burden to prove a prima facie case. In the case of Perumalla Kasirao Vs Nookala Murali Krishna and others 2016 ALT 222 (Division Bench), the Hon'ble Division Bench held that the plaintiffs seeking temporary injunction must satisfied the cardinal principals of prima facie, balance of convenience and irreparable loss. Mulling over all these facts and circumstances and keeping in view the settled legal principles observed in the above cases, this
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		is a case in which the essential ingredients of Or.39 R.1 of CPC are complied with, it is just, fair and reasonable to grant ad-interim injunction restraining the defendants/ respondents, <i>a fortiori</i>, the respondents/ defendants are trying to interfere with the peaceful possession and enjoyment of petitioner/ plaintiff, till 22.06.2026. In the result, ad-interim injunction is granted U/Or.39 R.1 of CPC restraining the respondents/ defendants 1 to 4, their men, agents, representative, from ever interfering with their peaceful possession and enjoyment of over the plaint schedule property till 22.06.2026. The petitioners/ plaintiffs shall comply with under Order 39 R.3(A) of CPC. Issue urgent notices to the respondents 1 to 3, on payment of process. Call on 22.06.2026.
9.	O.S.No.09/2026	Issue summons to defendant, posted to 18.06.2026.
10.	O.S.No.51/2026 in O.S.No.09/2026	This application U/Or.39 Rule 1 and 3 of CPC by the petitioner / plaintiff seeking to grant ad-interim injunction restraining respondent/ defendant, his men, agents, representative, from ever interfering with her peaceful possession and enjoyment of over the plaint schedule property. The theory of the petitioner/ plaintiff is such that the plaintiff is absolute owner of the petitioner schedule property by virtue of regd. sale deed, dt.20.04.2026, vide Doct.No.3201 and regd. sale deed, dt.15.12.2025 vide Doct.No.9000/2025 and to show the possession over the plaint schedule property, the plaintiff relied on the property tax receipts issued by Municipality Jangareddigudem which stand in the name of the plaintiff's vendor and its dated.20.04.2026. The learned counsel for the petitioner/ plaintiff argues that the possession and enjoyment of the schedule property is only with the petitioner/ plaintiff. Curiously enough, in the case of Boya Kristanna and others Vs Boya Suri, 2026 (1) ALT 42, where in the Hon'ble High Court of Andhra Pradesh held that to grant temporary injunction, the petitioner/ plaintiff must show prima facie case to for trial and balance of convenience and irreparable loss. In another case J.Bala Krishna Raju Vs J.A Radha Krishna Raju, 2014 (4) ALT 570, wherein the High Court of Andhra Pradesh held that in an

		application for temporary injunction, the initial onus of proof as well as the legal burden to prove a prima facie case. In the case of Perumalla Kasirao Vs Nookala Murali Krishna and others 2016 ALT 222 (Division Bench), the Hon'ble Division Bench held that the plaintiffs seeking temporary injunction must satisfied the cardinal principals of prima facie, balance of convenience and irreparable loss. Mulling over all these facts and circumstances and keeping in view the settled legal principles observed in the above cases, this is a case in which the essential ingredients of Or.39 R.1 of CPC are complied with, it is just, fair and reasonable to grant ad-interim injunction restraining the defendants/ respondents, <i>a fortiori</i>, the respondents/ defendants are trying to interfere with the peaceful possession and enjoyment of petitioner/ plaintiff, till 18.06.2026. In the result, ad-interim injunction is granted U/Or.39 R.1 of CPC restraining the respondent/ defendant, his men, agents, representative, from ever interfering with their peaceful possession and enjoyment of over the plaint schedule property till 18.06.2026. However, this Court makes it clear that further extension of injunction would be on hearing both sides. The petitioner/ plaintiff shall comply with under Order 39 R.3(A) of CPC. Issue urgent notices to the respondent, on payment of process. Call on 18.06.2026.
11.	O.S.No.10/2026	Issue notice to defendant, posted to 18.06.2026
	IA.53/2026 in O.S.No.10/2026	This application U/Or.39 Rule 1 and 3 of CPC by the petitioner / plaintiff seeking to grant ad-interim injunction restraining respondent/ defendant, his men, agents, representative, from ever interfering with her peaceful possession and enjoyment of over the plaint schedule property. The theory of the petitioner/ plaintiff is such that the plaintiff is absolute owner of the petitioner schedule property by virtue of regd. sale deed, dt.05.01.2026 and regd. settlement deed, dt.15.12.2025 and to show the possession over the plaint schedule property, the plaintiff relied on the property tax receipts issued by Municipality Jangareddigudem which stand in the name of the plaintiff's vendor and its dated.14.05.2026. The learned counsel for the

		petitioner/ plaintiff argues that the possession and enjoyment of the schedule property is only with the petitioner/ plaintiff, <i>a fortiori</i>, the petitioner filed property mutation fee receipt issued by Municipality, Jangareddigudem in the name of petitioner/ plaintiff dt.15.06.2026 and argues that the defendant is interfering with the enjoyment of the petitioner/ plaintiff over the petition schedule property. Curiously enough, in the case of Boya Kristanna and others Vs Boya Suri, 2026 (1) ALT 42, where in the Hon'ble High Court of Andhra Pradesh held that to grant temporary injunction, the petitioner/ plaintiff must show prima facie case to for trial and balance of convenience and irreparable loss. In another case J.Bala Krishna Raju Vs J.A Radha Krishna Raju, 2014 (4) ALT 570, wherein the High Court of Andhra Pradesh held that in an application for temporary injunction, the initial onus of proof as well as the legal burden to prove a prima facie case. In the case of Perumalla Kasirao Vs Nookala Murali Krishna and others 2016 ALT 222 (Division Bench), the Hon'ble Division Bench held that the plaintiffs seeking temporary injunction must satisfied the cardinal principals of prima facie, balance of convenience and irreparable loss. Mulling over all these facts and circumstances and keeping in view the settled legal principles observed in the above cases, this is a case in which the essential ingredients of Or.39 R.1 of CPC are complied with, it is just, fair and reasonable to grant ad-interim injunction restraining the defendant/ respondent, <i>a fortiori</i>, the respondent/ defendant is trying to interfere with the peaceful possession and enjoyment of petitioner/ plaintiff, till 18.06.2026. In the result, ad-interim injunction is granted U/Or.39 R.1 of CPC restraining the respondent/ defendant, his men, agent, representative, from ever interfering with their peaceful possession and enjoyment of over the petition schedule property till 18.06.2026. However, this Court makes it clear that further extension of injunction would be on hearing both sides. The petitioner/ plaintiff shall comply with under Order 39 R.3(A) of CPC. Issue urgent notice to the respondent, on payment of process. Call on 18.06.2026.
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12.	O.S.No.11/2026	Issue summons to defendants, posted to 22.06.2026.
	I.A.55/2026 in O.S.11/2026	Heard. Urgent issue notice to all respondents, on process, call on 22.06.2026.
13.	O.S.No.12/2026	Issue summons to defendants, posted to 18.06.2026.
	IA.57/2026 in O.S.No.12/2026	This application U/Or.39 Rule 1 and 3 of CPC by the petitioner / plaintiff seeking to grant ad-interim injunction from alienating or encumber the petition schedule properties. The theory of the petitioner/ plaintiff is such that the plaintiff/ petitioner is one of the coparceners of the joint family properties and acquired coparcenaries rights by birth in the petition schedule ancestral and joint properties and respondents/ defendants are started dealing with the said properties contrary to the welfare and lawful interest of the minor plaintiff and the respondents/ defendants are attempting to alienate the petition schedule properties and to convert the joint family properties into liquid cash by creating nominal, collusive and sham transactions defeat the legitimate rights of the minor plaintiff. To show the prima facie case, the petitioner/ plaintiff, the plaintiff relies on regd. sale deed vide Doct.No.8469/2025, dt.30.07.2025 and regd. sale deed vide Doct.No.8470/2025, dt.30.07.2025 which show the prima facie of the petitioner/ plaintiff to go for trial. In the case of Boya Kristanna and others Vs Boya Suri, 2026 (1) ALT 42, where in the Hon'ble High Court of Andhra Pradesh held that to grant temporary injunction, the petitioner/ plaintiff must show prima facie case to for trial and balance of convenience and irreparable loss. In another case J.Bala Krishna Raju Vs J.A Radha Krishna Raju, 2014 (4) ALT 570, wherein the High Court of Andhra Pradesh held that in an application for temporary injunction, the initial onus of proof as well as the legal burden to prove a prima facie case. In the case of Perumalla Kasirao Vs Nookala Murali Krishna and others 2016 ALT 222 (Division Bench), the Hon'ble Division Bench held that the plaintiffs seeking temporary injunction must satisfied the cardinal principals of prima facie, balance of convenience and irreparable loss. Pounding over all these facts and circumstances and keeping in view the settled

		legal principles observed in the above cases, this is a case in which the essential ingredients of Or.39 R.1 of CPC are complied with, it is just, fair and reasonable to grant ad-interim injunction from alienating or encumber the petition schedule properties, <i>a fortiori</i>, the respondents/ defendants are trying to alienate, the alleged joint family properties and trying to convert the joint family properties into liquid cash by creating nominal, sham documents to defeat the legitimate share of the minor plaintiff, till 18.06.2026. In the result, ad-interim injunction is granted U/Or.39 R.1 of CPC restraining the respondents/ defendants 1 to 4, their men and followers from alienating or encumber the petition schedule properties, till 18.06.2026. However, this Court makes it clear that further extension of injunction would be on hearing both sides. The petitioner/ plaintiff shall comply with under Order 39 R.3(A) of CPC. Issue urgent notices to the respondents 1 to 4, on payment of process. Call on 18.06.2026.
14.	O.S.No.13/2026	Issue summons to defendant, posted to 18.06.2026
	I.A.59/2026 in O.S.13/2026	This application U/Or.39 Rule 1 and 3 of CPC by the petitioners / plaintiffs seeking to grant ad-interim injunction restraining respondent/ defendant from ever interfering with their peaceful possession and enjoyment of over the plaint schedule properties. The theory of the petitioners/ plaintiffs is such that the plaintiffs/ petitioners are absolute owners of the petitioner schedule properties by virtue of certain registered documents which are of the years 2009, 2015, 2024 and they are property tax receipts, electricity bills, Tap tax receipts, market value slips and other documents. There are regd. sale deed, dt.13.08.2024 stands in the name of Kotipalli Srinivasa Rao/ plaintiff No.1 and another regd. sale deed doct.No.39472/2024, dt.13.08.2024, stands in the name of 1st plaintiff and regd. sale deed vide doct.No.39458/2024, dt.13.08.2024 and there are other regd. documents stand in the name of 1st plaintiff, dt.13.08.2024 in respect of the petition schedule properties and there are regd. documents stand in the name of 2nd plaintiff / 2nd petitioner of the year 2015 i.e. regd. sale deed vide doct.No.511/2015, dt.21.01.2015 and there are regd. documents stands in the name of 1st

		plaintiff dt.25.08.2009 in respect of the petition schedule property. All these documents indicate prima facie case of the petitioners/ plaintiffs to go for trial. The contention of the petitioners / plaintiffs is that the respondent is peaceful possession and enjoyment of the petitioners/ plaintiff and if the respondent/ defendant not restrained by way of injunction, it would cause irreparable loss to the petitioners/ plaintiffs. In the case of Boya Kristanna and others Vs Boya Suri, 2026 (1) ALT 42, where in the Hon'ble High Court of Andhra Pradesh held that to grant temporary injunction, the petitioner/ plaintiff must show prima facie case to for trial and balance of convenience and irreparable loss. In another case J.Bala Krishna Raju Vs J.A Radha Krishna Raju, 2014 (4) ALT 570, wherein the High Court of Andhra Pradesh held that in an application for temporary injunction, the initial onus of proof as well as the legal burden to prove a prima facie case. In the case of Perumalla Kasirao Vs Nookala Murali Krishna and others 2016 ALT 222 (Division Bench), the Hon'ble Division Bench held that the plaintiffs seeking temporary injunction must satisfied the cardinal principals of prima facie, balance of convenience and irreparable loss. Mulling over all these facts and circumstances and keeping in view the settled legal principles observed in the above cases, this is a case in which the essential ingredients of Or.39 R.1 of CPC are complied with, it is just, fair and reasonable to grant ad-interim injunction restraining the defendant/ respondent, <i>a fortiori</i>, the respondent/ defendant are trying to interfere with the peaceful possession and enjoyment of petitioner/ plaintiff, till 18.06.2026. In the result, ad-interim injunction is granted U/Or.39 R.1 of CPC restraining the respondent/ defendant, his men and followers, from ever interfering with her peaceful possession and enjoyment of over the plaint schedule properties, till 18.06.2026. However, this Court makes it clear that further extension of injunction would be on hearing both sides. The petitioner/ plaintiff shall comply with under Order 39 R.3(A) of CPC. Issue urgent notices to the respondent/defendant, on payment of process. Call on 18.06.2026.
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15.	O.S.No.14/2026	Issue summons to defendants, posted to 18.06.2026.
	IA./2026 in O.S.No.14/2026	Heard in part, as it is 5.30 PM, at request the learned counsel for the petitioner. For continuation hearing, call on 20.05.2026.

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

