

**IN THE COURT OF THE III-ADDITIONAL CIVIL JUDGE (JUNIOR
DIVISION):: ONGOLE.**

Present: SMT V.SILPA

III-Additional Civil Judge (Junior Division), Ongole.

Thursday, this the 21st day of November, 2024

OS.No. 665/2021

BETWEEN:

1. Vammaneni Veeraiah,
S/o. Guravaiah, Hindu, aged 71 years,
R/o.Lawyerpet, Ongole.

2. Ramisetty China Subba Rao,
S/o. Kondaiah, Hindu,
aged 71 years, R/o Pernamitta,
Ongole Municipal Corporation.

...Plaintiffs

AND

1. Akula Srinivasa Rao,
S/o. Audisheshaiah, Hindu,
aged 55 years, R/o Pernamitta,
Ongole Municipal Corporation,
Prakasam District.

2. Akula Siva,
S/o. Srinivasa Rao, Hindu,
aged 30 years, R/o Pernamitta,
Ongole Municipal Corporation,
Prakasam District.

3. Mannam Ramana Reddy,
S/o. Venkata Subba Reddy, Hindu,
aged 60 years, R/o Pernamitta,
Ongole Municipal Corporation,
Prakasam District.

4. Dumpa Srinivasa Reddy,
S/o. Subba Reddy, Hindu,
aged 40 years, R/o Pernamitta,
Ongole Municipal Corporation,
Prakasam District.

5. Vaka Subba Reddy,
S/o. Rami Reddy, Hindu,
aged 60 years, R/o Pernamitta,
Ongole Municipal Corporation,
Prakasam District.

6. Balijepalli Anji Reddy,
S/o. Ramana Reddy, Hindu,
aged 35 years, R/o Pernamitta,
Ongole Municipal Corporation,
Prakasam District.

7. Mannam Srinivasa Reddy,
S/o. Ramana Reddy, Hindu,
aged 45 years, R/o Pernamitta,
Ongole Municipal Corporation,
Prakasam District.

...Defendants

This suit is filed by the plaintiffs against the defendants for grant of Permanent Injunction, restraining the defendants, and their men, followers, associates, subordinates worker etc., from entering or interfering or causing disturbance to the plaintiff in respect of the plaint schedule property and for costs.

The suit coming on 21.11.2024 for steps of D3 petition returned before me in the presence of Sri M. Ajoy Babu, and Sri. G. Chandra Sekhar., Learned Counsel for defendant No.3 and defendant No.1, defendant No.2, defendant No.4 to defendant No.7 remained set exparte and upon perusal of material available on record this Court delivered the following:-

// J U D G M E N T //

Plaintiffs called absent. No representation till 05-00 P.M. Inspite of several opportunities given to the plaintiff to take steps to implead the L.Rs of deceased/defendant No.2. The docket shows that this case is coming for taking steps to implead L.Rs of defendant No.3 since 28.06.2023, as defendant No.3 reported died on 20.04.2022, and the same was informed to this court by filing a memo on 25.04.2023. Inspite of granting sufficient time, the plaintiffs did not choose to take any steps to implead the L.Rs of D3. It shows that the plaintiffs has no interest to perceive the suit and no grievance if adverse orders passed against them. Hence, the suit is dismissed for default.

In the result, the suit is dismissed for default without costs.

**Sd/-V. Silpa,
III-ADDITIONAL CIVIL JUDGE(JUNIOR DIVISION),
ONGOLE.**

**Appendix of Evidence
WITNESSES EXAMINED
- NIL -**

**Sd/-V. Silpa,
III-A.J.C.J.,
ONGOLE.**

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AND

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...Defendants

This suit is filed by the plaintiffs against the defendants for grant of Permanent Injunction, restraining the defendants, and their men, followers, associates, subordinates worker etc., from entering or interfering or causing disturbance to the plaintiff in respect of the plaint schedule property and for costs.

Plaint presented on: 11.08.2021

Plaint filed on: 27.08.2021

Valuation:- For the relief of permanent injunction, the suit is notionally valued at Rs.50,000/-, on which a C.F. of Rs.2,386/- is paid under Sec. 26

(C) of A.P.C.F and S.V. Act by depositing the same in SBI D.C.C. Branch, Ongole on 11.08.2021 in lieu of Court Fee.

Cause of Action:- For the suit arose when the 2nd plaintiff succeeded an extent of Ac.2-16 cents in S.No.137 of Pernamitta from his father, the total extent is Ac. 61-96 cents, when there are several ryots enjoying of their own, since from the age of discretion of 2nd plaintiff, Ac.2-16 cents has been in possession and enjoyment, that out of Ac.2-16 cents, 2nd plaintiff sold Ac.0-75 cents to 1st plaintiff about 20 years under possessory agreement of sale, that 2nd plaintiff executed sale deed under Document No.2549/2021 in favour of 1st plaintiff, that same was recited in the sale deed, when 2nd plaintiff applied for sub-division, when revenue authorities measured and revenue entries have been carried in 1-B, copy of sub-division by Deputy Inspector of Survey attached to sale deed, when out of Ac.61-96 cents, an extent of Ac.9-90 cents belongs to Sri Mahalakshmi Ammavari Temple, when E.O., of temple conducted public auction on 19-7-2021 of tenancy rights for 2021-2022 to 2023-2024, when son of 2nd plaintiff participated in auction, when one Kanaparti Srinivasa Reddy and son of 2nd plaintiff, when he competitively participated in auction, when unsuccessful participants developed grouse against 2nd plaintiff and his vendee 1st plaintiff, since last 4 days when plaintiffs conducting agricultural operations by ploughing with tractors,

when defendants tried to make galata, when defendants have no manner of right to do so, when the defendants highly influential, financially, when it is translated into action, plaintiffs are unable to resist at Pernamitta Village where the cause of action for the suit arose, where the parties reside and plaint schedule property is situated is within the jurisdiction of this Hon'ble Court.

The suit coming on 21.11.2024 for steps of D3 petition returned before me in the presence of Sri M. Ajoy Babu, and Sri. G. Chandra Sekhar., Learned Counsel for defendant No.3 and defendant No.1, defendant No.2, defendant No.4 to defendant No.7 remained set exparte and upon perusal of material available on record this Court **DOTH ORDER AND DECREE:**

1. that the suit be and the same is hereby dismissed for default without costs; and
2. that each party do bear their own costs.

(Plaint Schedule is herewith attached)

{{ Given under my hand and the seal of this court this the 21st day of November, 2024.}}

**Sd/-V. Silpa,
III-ADDITIONAL CIVIL JUDGE(JUNIOR DIVISION),
ONGOLE.**

TABLE OF COSTS

(C.M & F.C is not filed on both sides).

**Sd/-V. Silpa,
III-A.J.C.J,
ONGOLE.**

NOTE: The exhibited and non-exhibited documents have to be taken back by the parties concerned within the stipulated time with an undertaking to produce the same as and when required by the Court.