Orders Reserved on : 01.05.2026.
Orders Pronounced on : 17.06.2026.
Orders Uploaded on : 17.06.2026.

APHC010253862023

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3575]
(Special Original Jurisdiction)

I.A.No.1 of 2025

In

WRIT PETITION NO: 17609 OF 2024

Between:

1. G. SRINIVASULU REDDY, S/O. (LATE) G. CHANDRASEKHARA REDDY, AGED ABOUT 60 YEARS, R/O.D.NO.24-7-383, RAVINDRA NAGAR, III CROSS ROAD, NEAR MAHALAKSHMI TEMPLE, KONDAYAPALEM GATE, NELLORE

...PETITIONER

AND

1. IN THE COURT OF 3RD ADDL DISTRICT JUDGE, Nellore

...RESPONDENT

CORAM:- THE HONOURABLE THE CHIEF JUSTICE Mrs.LISA GILL
THE HONOURABLE Mr. JUSTICE NINALA JAYASURYA

DATE:- 17th JUNE, 2026.

******

PRESENT: Mr.G. Srinivasulu Reddy, Party in Person.
None for respondent.

The Court made the following Order: *(Per Hon'ble Mr.Justice Ninala Jayasurya)*

The present application is filed seeking review of the order dated 01.07.2024 in W.P.No.17609 of 2024 passed by a Division Bench of this Court, in which one of us (NJS,J) was a Member.

2) The review petitioner representing the matter as party-in-person filed two Writ Petitions vide W.P.(SR) No.20588 of 2023 and W.P.(SR) No.4371 of 2024. After overruling the objections raised by the Registry, a common order was passed on 01.07.2024. In one of the Writ Petitions numbered as W.P.No.17609 of 2024, the following main relief was sought for:

> "….to set aside the judgment dated 24.02.2023 and issue true corrected order copy of I.A.No.41/2021 and permit the petitioner to file in the High Court of A.P., against orders passed by the Hon'ble lower Appellate Court pertaining to I.A.No.390 of 2020 and I.A.No.367 of 2020 by giving 30 days time to file in High Court of Andhra Pradesh and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

3) In the interim, the following relief/s were prayed for:

> "Pending disposal of the writ petition, it is prayed that this Hon'ble Court may be pleased to suspend the impugned judgment dated 24.02.2023 in A.S.No.16 of 2017 passed by Hon'ble III Additional District Judge, Nellore and further direct the appellate court to remand it to the trial court in the interest of justice."
>
> Or
>
> "It is prayed that this Hon'ble Court may allow the petitioner to file a fresh suit giving all family details. The Hon'ble Lower Appellate Court was not humanitarian and dismissed the suit. Right to property is a human right

> and constitutional right but not a fundamental right and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

4. In the other Writ Petition he sought permission to argue his case as party-in-person by setting aside the report denying permission to him to appear and argue in person. The petitioner was however permitted by the Court to present his case as party-in-person. Therefore, W.P.No.17610 of 2024 was disposed of recording that 'no orders are necessary'.

5. In so far as W.P.No.17609 of 2024, the Division Bench while specifically stating that Writ Petition challenging the judgment dated 24.02.2023 passed in A.S.No.16 of 2017 on the file of the III Additional District Judge, Nellore, is not maintainable, however in the light of the submissions made by the learned party-in-person with reference to the applications filed in the Appeal filed against the Judgment in O.S.No.111 of 1997 on the file of the Court of I Additional Senior Civil Judge, Nellore, recorded findings thereon and dismissed the Writ Petition.

6. In the review petition, several factual aspects with reference to the proceedings in A.S.No.16 of 2017 on the file of the Court of III Additional District Judge were stated. No specific grounds of review were raised. No error, which is apparent on the face of the record, was pointed out. The learned party-in-person mainly argued that the order under review was passed without going through the entire writ petition. Referring to I.A.No.414 of 2021

filed in A.S.No.16 of 2017 he made submissions to the effect that the learned District Judge went wrong in allowing the said application. His arguments are incoherent, but grievance appears to be that corrected copy of order in I.A.No.414 of 2021 (wrongly mentioned in the order dated 09.12.2022 as I.A.No.414 of 2022) was not furnished immediately to enable him to file a revision petition and in the meanwhile, the main Appeal Suit was disposed of vide judgment dated 24.02.2023. He, therefore, seeks to set aside the judgment in A.S.No.16 of 2017 and direction for remand of the matter to the lower Appellate Court or in the alternative, to the Trial Court itself, so that he can seek amendment of plaint in O.S.No.111 of 1997 filed by him. No other grounds were urged.

7. This Court has considered the submissions made and perused the material on record.

8. As regards the institution of the Writ Petition seeking to set aside the judgment dated 24.03.2023 passed in A.S. No.16 of 2017 on the file of the Court of the III Additional District Judge, Nellore, the order of the Division Bench dated 01.07.2024 to the extent that the Writ Petition is not maintainable, is valid and legal. The learned party-in-person instead of availing remedy of Appeal as provided under Section 100 of CPC, filed a Writ Petition and the same is misconceived. If he is aggrieved by the orders passed by the learned Appellate Court during the pendency of the said Appeal in A.S.No.16 of 2017,

appropriate remedies in accordance with law should have been availed. The reliefs as prayed for in the Writ Petition cannot be granted in exercise of jurisdiction under Article 226 of the Constitution of India.

9. However, in the order under review, the Division Bench in the light of the submissions made by the learned party-in-person with reference to I.A.No.367 of 2020 and I.A.No.390 of 2020 filed under Order VI Rule 17 of CPC seeking to amend the memo of appeal and amendment of plaint respectively, recorded findings and opined that there is no perversity in the orders passed by the Appellate Court thereon. The Division Bench has rightly opined that writ petition challenging the judgment in A.S.No.16 of 2017 is not maintainable. As the Writ Petition was dismissed as not maintainable, in our considered opinion, conclusion regarding there being no perversity in the view expressed and order passed by the learned Appellate Court, may come in the way of party-in-person in pursuing civil remedies in accordance with law. Therefore, impugned order is reviewed and modified to the extent of setting aside the conclusions / findings touching upon merits of the matter.

10. The Review Petition is accordingly ordered, to the extent indicated above. No costs.

(LISA GILL)
CHIEF JUDGE

(NINALA JAYASURYA)
JUDGE

Date:17.06.2026
Ssv

THE HONOURABLE CHIEF JUSTICE Mrs.LISA GILL

THE HONOURABLE Mr.JUSTICE NINALA JAYASURYA

I.A.No.1 of 2025

In

WRIT PETITION NO: 17609 OF 2024

Date:17.06.2026

Ssv