



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

[3524]

TUESDAY, THE TWENTY SEVENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

CIVIL MISCELLANEOUS APPEAL NO: 25/2026

Between:

Anchuri Aruna Kumari @ Alekhya

...APPELLANT

AND

Anchuri Narendra Reddy

...RESPONDENT

Counsel for the Appellant:

1. SIMHACHALAM KARUKOLA

Counsel for the Respondent:

1.

The Court made the following interim order :

(per Hon'ble Sri Justice Ravi Nath Tilhari)

This appeal has been filed by the appellant/wife being aggrieved from the decree of divorce granted on the petition of the husband under Sections 13(1)(ia)(ib) of the Hindu Marriage Act, 1955, *vide* order dated 25.08.2025, passed in H.M.O.P.No.130 of 2023 on the file of the Court of the learned Additional Civil Judge (Senior Division), Narasaraopeta.

2. Heard the learned counsel for the appellant. He submits that at various places in the judgment, the learned trial Court has observed that a few isolated instances spread over a period of years would not amount to cruelty. He submits that criminal proceedings were initiated by the appellant/wife under Section 498-A of the Indian Penal Code, which are still pending. He submits further that, in view of the pendency of the said proceedings, it cannot, at this stage, be concluded that the complaint under Section 498-A IPC is malicious or baseless, though the trial Court recorded that initiation of baseless legal proceedings by one spouse against the other and their family members may amount to mental cruelty.

3. He further submits that the learned trial Court has also observed that the parties have been living separately since the year 2020 and that no petition for restitution of conjugal rights was filed. According to him, the mere non-filing of such a petition cannot, by itself, be construed as constituting mental cruelty on the part of the appellant.

4. The matter requires consideration.

5. Issue notice to the respondent.

6. In addition to the normal mode of service, the appellant is permitted to take out personal notice to the respondent by Registered Post and Acknowledgment Due and file proof of service in the Registry before the next date of listing.

7. Post on **24.02.2026**.
8. Till the next date of listing, the operation of the decree dated 25.08.2025 passed in H.M.O.P.No.130 of 2023 on the file of the Court of the learned Additional Civil Judge (Senior Division), Narasaraopeta, shall remain stayed.

RAVI NATH TILHARI, J

MAHESWARA RAO KUNCHEAM, J

Date : 27.01.2026.
RPD/JLSR.