IN THE COURT OF THE PRL. JUNIOR CIVIL JUDGE AT HUZURABAD

OS.NO. 107 OF 2022

Between:- Nallala Mallamma

...Plaintiff

AND

Nallavelly Thirupathi

...Defendant

LIST OF DOCUMENTS FILED BY THE RESPONDENTS/DEFENDANTS

14-11-2023 Counsel for the respondent /Defendant

IN THE COURT OF THE PRL. JUNIOR CIVIL JUDGE AT HUZURABAD

OS.NO. 107 OF 2022

Between:- Nallala Mallamma

...Plaintiff

AND

Nallavelly Thirupathi

...Defendant

COUNTER FILED BY THE RESPONDENT

Filed on:-14-11-2023

Filed by :- Nalla Bhoomi Reddy

Counsel for the respondent/Defendant

IN THE COURT OF THE PRL. JUNIOR CIVIL JUDGE AT HUZURABAD

OS.NO. 107 OF 2022

Between:- Nallala Mallamma

...Plaintiff

AND

Nallavelly Thirupathi

...Defendant

WRITTENSTATEMENT FILED BY THE DEFENDANT

Filed on:-14-11-2023

Filed by :- Nalla Bhoomi Reddy

Counsel for the respondent/Defendant

IN THE COURT OF THE PRL. JUNIOR CIVIL JUDGE AT HUZURABAD

OS.NO. 107 OF 2022

Between:- Nallala Mallamma

...Plaintiff

AND

Nallavelly Thirupathi

...Defendant

WRITTENSTATEMENT FILED BY THE DEFENDANT

May it please your Honour

The Defendant begs to submit his writtenstatement as under

1)It is submitted that the entire allegations made in the plaint/Petition by the Plaintiff/Petitioner is deemed to be denied except the allegations specifically admitted by the defendant

2) It is submitted that the para no 1 and 2 of the Plaint is pertains to the description of the parties as needs no reply

3)It reply to para no 3 of the palaint the the plaintiff is purchased the suit schedule property under registered sale deed document No 270/2022, dated 23-02-2022, before the Tahsildar and Joint Sub Registrar Veenavanka mandal for valuable consideration from its previous owner namely Nelaveni Vijaya. The said Nelaveni Vijaya purchased the suit schedule property from one Nelaveni Esaiah, through Regd, sale deed Vide Doc. No. 830/2021 dated 11-08-2021 before the Tahsildar and Joint Sub Registrar, Veenavanka and the said Nelaveni Esaiah purchased the same from one Kamakanti Janardhan Reddy through registered sale deed vide doc. No. 11331/2015 dated 19-11-2015 before the Joint Sub Registrar Karimnagar. In this way the suit schedule property has been transferring from persons to person. Thereafter the revenue authoritiesissued the Pattedhar pass book and title deed in fever of the plaintiff is utterly false denied .the allegations are all false wood and base less except the sale transaction by the Nallelli Yesaiah and Bojja Sudhaker from the Karnakanti Janardhan Reddy . The Plaintiff with an intention to grab the land of the defendant they all joined hands in collusive brought into existence the above false registered sale deeds they are herein the registered sale deed 270 of 2022 and 830 of 2021 .In fact those documentsw can not confer any right over the suit property against the defendant as the suit is liable to be dismissed

4)It is reply to para no 4 of the plaint, that the defendant several times demanded to alienate the suit schedule property for his convenience, for which the plaintiff refused, as such keeping the same in mind, the defendant is without any right or possession have illegally tried to interfere and occupy the suit schedale land by creating false and fabricated documents is utterly false and denied . In fact, the plaintiff made the suit land fertile by investing huge amounts, as such the defendant bore grudge against the plaintiff and her property and tried to interfere into the suit schedule property is a further lie . In this connection the defendant on 25-02-2023 came to the suit schedule land tried to interfering and to obstruct the construction work is also false and denied . But the plaintiff with the help of well-wishers resisted the defendant No.1 with great difficulty, as such the defendant failed and returned back is also when the defendant is in possession and in enjoyment of the suit land the question return back does never arise .It is also false to say that while he going he made the declarations as he would occupy the suit land is utterly false and denied when the defendant is in possession and enjoyment of the suit land then question of illegal interference does never arise

5) In reply to para no 7,8 and 9 are the formal paras for every suit .The cause of action is false and denied .The court fee is also not sufficient and further the reliefs prayed by the plaintiff is not maintainable in eye of law . When the registered sale deed is executed in fever of the defendant with out prayer of cancellation of such registered sale deed the suit for the declaration of title and injection is not maintainable as the entire suit based on the false and untenable averments as the suit is liable to be dismissed

6) THE REAL FACTS OF THE CASE ARE THAT:-

i) It is submitted that the Nallaveni Yesaiah and one Bojja Sudhaker are the bonafide purchasers of the suit land through the registered sale deed 11331 of 2015 dt 19-11-2015 .After their purchase they alienated the part of the land covered the above registered sale deed to the extent of the area 0-05 gts to the defendant through registered sale deed 1549 of 2018 dt 3-4-2018 .since then the defendant is in continuous possession and in enjoyment of the suit land after his purchase the defendant approached the revenue authorities to mutate the same but the revenue authorities stated that due to small extent they unable to mutate the same as the defendant also believed the words of the revenue authorities but the one of the vendor of the defendant by Nallaveni Yesaiah with evil motive, taking advantage the revenue entries in the revenue record without any right he falsely executed the registered sale deed in fever of his wife, though he has no right what so ever over the suit land as it is illegal and arbitrary with an intention to grab the legal vested rights of the defendants by virtue of the registered sale deed by suppressing the facts, It is further submitted that the wife of the Yesaiah subsequently executed the false registered sale deed though she has no any possession over the suit land in fact the vendor of the plaintiff and and her husband by name Yesaiah are the behind back of the suit and Plaintiff, these are the real facts of the case in fact the land transferred in fever of the defendant since the date of the purchase he is in continuous possession of the suit land only with an intention to grab the land of the defendant the plaintiff filed this false suit though they have no right over the suit land these are the facts of the case

ii) It is father submitted that the defendant is in possession and in enjoyment of the suit land in fact the plaintiff neither the owner nor the possessor of the suit land .After the purchase of the defendant many times panchayaths were held in every panchayath the elderly persons found fault advised to amicable settlement but the malafide plaintiff and the vendor of the defendant in collusion and joined hands and creating troubles to the defendant in fact many times for the panchayath they obtained the signatures of the defendant on the blank stamp papers in fact the defendant is not the well-educated just he is signatory in that olden days he was studied only for the extent of reading and signature but in fact the defendant is nothing but illiterate it is taking advantage the vendor of the defendant by name Yesaiah is blackmailing the defendant taking advantage the signatures on the blank stamp papers in this connection also many times panchayaths held but the malfide plaintiff in collusion with the Yesaiah filed this false suit in fact no rights transferred to the plaintiff or any other person without consent and knowledge of the defendant only with an intention to usurp the rights of the defendant the plaintiff filed this suit the Yesaiah is behind back of this case as the suit is not maintainable . It is further submitted that the plaintiff filed another suit after filing this suit over suit land vide OS NO 79 OF 2023 .Infact the suit filed by the plaintiff hit the rejudicata principles as the suit is estoppel and lible to dismissed

iii) It is submitted that the registered sale deed executed by the Nelaveni Yesaiah in fever of his wife is itself vide document no 830 of 2021 dated 7-8-2021 is not maintainable it is itself void document as it is not binding on the defendant further his wife Nelaveni Vijaya executed the Registered sale deed is a further vide document No. 270 of 2022 dt 23-2 2022 in fever of this plaintiff as it cannot confer any rights over the suit land until and unless it was cancelled but the malafide plaintiff in collusion with the vendor of the defendant brought into existence of the above false registered sale deeds through which the rights cannot transferred in fever of the plaintiff or any other person . In fact all those days the plaintiff and her vendors who they are Esaiah and Vijaya is put the defendant in to fear and block mailing to amicable settlement for which the elderly persons also assured to compromised the matter but the malfide plaintiff with evil intention abtained the false decree as it is not binding on the defendant further the defendant awaken when after ecieving the notices in os no 79 of 2023 and enquired the matter as he came to know that the decree is passed in this suit i.e in os no 107 of 2022 as on which the defendant filed this written statement along with the set aside and sec 5 limitation applications these are the facts of the case.The suit is filed only with intention to harass the defendant in fact the defendant is the law abiding citizen and ignorant in the village

iv) It submitted that viewed from any angle the suit is not maintainable in any corner as it is liable to be dismissed in limini

PRAYER-: It therefore prayed that the Hon”ble court may be pleased to dismissed the suit with heavy costs

Date 14-11-2023 Defendant

VERYFICATION -: I the Defendant what I stated in the above paras of this writtenstatement are true and correct to the best of my knowledge and read over to me in telugu language and I understood the same and verified the same

14-11-2023 Defendant

Filed Through :- Nalla Bhoomi Reddy Adv,

Huzurabad

IN THE COURT OF THE PRL. JUNIOR CIVIL JUDGE AT HUZURABAD

OS.NO. 79 OF 2023

Between:- Nallala Mallamma

...Plaintiff

AND

Nallavelly Thirupathi

...Defendant

WRITTENSTATEMENT FILED BY THE DEFENDANT

May it please your Honour

The Defendant begs to submit his writtenstatement as under

1)It is submitted that the entire allegations made in the plaint/Petition by the Plaintiff/Petitioner is deemed to be denied except the allegations specifically admitted by the defendant

2) It is submitted that the para no 1 and 2 of the Plaint is pertains to the description of the parties as needs no reply

3)It reply to para no 3 of the palaint the the plaintiff is purchased the suit schedule property under registered sale deed document No 270/2022, dated 23-02-2022, before the Tahsildar and Joint Sub Registrar Veenavanka mandal for valuable consideration from its previous owner namely Nelaveni Vijaya. The said Nelaveni Vijaya purchased the suit schedule property from one Nelaveni Esaiah, through Regd, sale deed Vide Doc. No. 830/2021 dated 11-08-2021 before the Tahsildar and Joint Sub Registrar, Veenavanka and the said Nelaveni Esaiah purchased the same from one Kamakanti Janardhan Reddy through registered sale deed vide doc. No. 11331/2015 dated 19-11-2015 before the Joint Sub Registrar Karimnagar. In this way the suit schedule property has been transferring from persons to person. Thereafter the revenue authoritiesissued the Pattedhar pass book and title deed in fever of the plaintiff is utterly false denied .the allegations are all false wood and base less except the sale transaction by the Nallelli Yesaiah and Bojja Sudhaker from the Karnakanti Janardhan Reddy . The Plaintiff with an intention to grab the land of the defendant they all joined hands in collusive brought into existence the above false registered sale deeds they are herein the registered sale deed 270 of 2022 and 830 of 2021 .In fact those documentsw can not confer any right over the suit property against the defendant as the suit is liable to be dismissed

4)It is reply to para no 4 of the plaint, that the defendant several times demanded to alienate the suit schedule property for his convenience, for which the plaintiff refused, as such keeping the same in mind, the defendant is without any right or possession have illegally tried to interfere and occupy the suit schedale land by creating false and fabricated documents is utterly false and denied . In fact, the plaintiff made the suit land fertile by investing huge amounts, as such the defendant bore grudge against the plaintiff and her property and tried to interfere into the suit schedule property is a further lie . In this connection the defendant on 25-02-2023 came to the suit schedule land tried to interfering and to obstruct the construction work is also false and denied . But the plaintiff with the help of well-wishers resisted the defendant No.1 with great difficulty, as such the defendant failed and returned back is also when the defendant is in possession and in enjoyment of the suit land the question return back does never arise .It is also false to say that while he going he made the declarations as he would occupy the suit land is utterly false and denied when the defendant is in possession and enjoyment of the suit land then question of illegal interference does never arise

5) In reply to para no 7,8 and 9 are the formal paras for every suit .The cause of action is false and denied .The court fee is also not sufficient and further the reliefs prayed by the plaintiff is not maintainable in eye of law . When the registered sale deed is executed in fever of the defendant with out prayer of cancellation of such registered sale deed the suit for the declaration of title and injection is not maintainable as the entire suit based on the false and untenable averments as the suit is liable to be dismissed

6) THE REAL FACTS OF THE CASE ARE THAT:-

i) It is submitted that the Nallaveni Yesaiah and one Bojja Sudhaker are the bonafide purchasers of the suit land through the registered sale deed 11331 of 2015 dt 19-11-2015 .After their purchase they alienated the part of the land covered the above registered sale deed to the extent of the area 0-05 gts to the defendant through registered sale deed 1549 of 2018 dt 3-4-2018 .since then the defendant is in continuous possession and in enjoyment of the suit land after his purchase the defendant approached the revenue authorities to mutate the same but the revenue authorities stated that due to small extent they unable to mutate the same as the defendant also believed the words of the revenue authorities but the one of the vendor of the defendant by Nallaveni Yesaiah with evil motive, taking advantage the revenue entries in the revenue record without any right he falsely executed the registered sale deed in fever of his wife, though he has no right what so ever over the suit land as it is illegal and arbitrary with an intention to grab the legal vested rights of the defendants by virtue of the registered sale deed by suppressing the facts, It is further submitted that the wife of the Yesaiah subsequently executed the false registered sale deed though she has no any possession over the suit land in fact the vendor of the plaintiff and and her husband by name Yesaiah are the behind back of the suit and Plaintiff, these are the real facts of the case in fact the land transferred in fever of the defendant since the date of the purchase he is in continuous possession of the suit land only with an intention to grab the land of the defendant the plaintiff filed this false suit though they have no right over the suit land these are the facts of the case, It is further submitted that under unbearable harassments made by the petitioners the Respondent/Defendant has filed a suit vide O.S NO. 48 of 2022 on the file of this Hon”ble court i.e suit for Injection and and for rectification of the revenue entries in which the the petitioner also filed their counter and writtenstatement.

ii) It is father submitted that the defendant is in possession and in enjoyment of the suit land in fact the plaintiff neither the owner nor the possessor of the suit land .After the purchase of the defendant many times panchayaths were held in every panchayath the elderly persons found fault advised to amicable settlement but the malafide plaintiff and the vendor of the defendant in collusion and joined hands and creating troubles to the defendant in fact many times for the panchayath they obtained the signatures of the defendant on the blank stamp papers in fact the defendant is not the well-educated just he is signatory in that olden days he was studied only for the extent of reading and signature but in fact the defendant is nothing but illiterate it is taking advantage the vendor of the defendant by name Yesaiah is blackmailing the defendant taking advantage the signatures on the blank stamp papers in this connection also many times panchayaths held but the malfide plaintiff in collusion with the Yesaiah filed this false suit in fact no rights transferred to the plaintiff or any other person without consent and knowledge of the defendant only with an intention to usurp the rights of the defendant the plaintiff filed this suit the Yesaiah is behind back of this case as the suit is not maintainable . It is further submitted that the plaintiff filed another suit prior to filing of this suit over suit land vide OS NO 107 OF 2022 .Infact the suit filed by the plaintiff hit the rejudicata principles as the suit is estoppel and lible to dismissed

iii) It is submitted that the registered sale deed executed by the Nelaveni Yesaiah in fever of his wife is itself vide document no 830 of 2021 dated 7-8-2021 is not maintainable it is itself void document as it is not binding on the defendant further his wife Nelaveni Vijaya executed the Registered sale deed is a further vide document No. 270 of 2022 dt 23-2 2022 in fever of this plaintiff as it cannot confer any rights over the suit land until and unless it was cancelled but the malafide plaintiff in collusion with the vendor of the defendant brought into existence of the above false registered sale deeds through which the rights cannot transferred in fever of the plaintiff or any other person . In fact all those days the plaintiff and her vendors who they are Esaiah and Vijaya is put the defendant in to fear and block mailing to amicable settlement for which the elderly persons also assured to compromised the matter but the malfide plaintiff with evil intention abtained the false decree as it is not binding on the defendant further the defendant awaken when after ecieving the notices in os no 79 of 2023 and enquired the matter as he came to know that the decree is passed in this suit i.e in os no 107 of 2022 as on which the defendant filed his written statement along with the set aside and sec 5 limitation applications in that suit also these are the facts of the case.The suit is filed only with intention to harass the defendant in fact the defendant is the law abiding citizen and ignorant in the village

iv) It submitted that viewed from any angle the suit is not maintainable in any corner as it is liable to be dismissed in limini

PRAYER-: It therefore prayed that the Hon”ble court may be pleased to dismissed the suit with heavy costs

Date 14-11-2023 Defendant

VERYFICATION -: I the Defendant what I stated in the above paras of this writtenstatement are true and correct to the best of my knowledge and read over to me in telugu language and I understood the same and verified the same

14-11-2023 Defendant

Filed Through :- Nalla Bhoomi Reddy Adv,

Huzurabad

IN THE COURT OF THE PRL. JUNIOR CIVIL JUDGE AT HUZURABAD

OS.NO. 79 OF 2023

Between:- Nallala Mallamma

...Plaintiff

AND

Nallavelly Thirupathi

...Defendant

COUNTER FILED BY THE DEFENDANT

May it please your Honour

The Respondent begs to submit his writtenstatement as under

1)It is submitted that the entire allegations made in the Petition by the Petitioner is deemed to be denied except the allegations specifically admitted by the defendant

2) It is submitted that the para no 1 and 2 of the is pertains to the self description of the himself and oath as needs no reply

3)It reply to para no 3 of the petition that the petitioner is purchased the suit schedule property under registered sale deed document No 270/2022, dated 23-02-2022, before the Tahsildar and Joint Sub Registrar Veenavanka mandal for valuable consideration from its previous owner namely Nelaveni Vijaya is false and denied. The said Nelaveni Vijaya purchased the suit schedule property from one Nelaveni Esaiah, through Regd, sale deed Vide Doc. No. 830/2021 dated 11-08-2021 before the Tahsildar and Joint Sub Registrar, Veenavanka is false and bogus and fabricated one and the said Nelaveni Esaiah purchased the same from one Kamakanti Janardhan Reddy through registered sale deed vide doc. No. 11331/2015 dated 19-11-2015 before the Joint Sub Registrar Karimnagar is true but not only Yesaiah ,Yesaiah along with another purchased the above property is true . In this way the suit schedule property has been transferring from persons to person. Thereafter the revenue authorities issued the Pattedhar pass book and title deed in fever of the petitioner/plaintiff is utterly false denied .the allegations are all false wood and base less except the sale transaction by the Nallelli Yesaiah and Bojja Sudhaker from the Karnakanti Janardhan Reddy . The petitioner/Plaintiff with an intention to grab the land of the respondent/defendant they all joined hands in collusive brought into existence the above false registered sale deeds they are herein the registered sale deed 270 of 2022 and 830 of 2021 .In fact those documents can not confer any right over the petition schedule property against the Respondent/defendant as the petition/suit is liable to be dismissed

4)It is reply to para no 4 of the Petition/plaint, that the Respondent /defendant several times demanded to alienate the petition schedule property for his convenience, for which the petitioner/plaintiff refused, as such keeping the same in mind, the Respondent/defendant is without any right or possession have illegally tried to interfere and occupy the suit schedale land by creating false and fabricated documents is utterly false and denied . In fact, the petitioner/plaintiff made the suit land fertile by investing huge amounts, as such the Respondent/defendant bore grudge against the pwtitioner/plaintiff and her property and tried to interfere into the suit schedule property is a further lie . In this connection the Respondent/defendant on 25-02-2023 came to the suit schedule land tried to interfering and to obstruct the construction work is also false and denied . But the Petitioner/plaintiff with the help of well-wishers resisted the Respondent/defendant No.1 with great difficulty, as such the Respondent/defendant failed and returned back is also when the Respondent /defendant is in possession and in enjoyment of the suit land the question return back does never arise .It is also false to say that while he going he made the declarations as he would occupy the suit land is utterly false and denied when the Respondent/defendant is in possession and enjoyment of the suit land then question of illegal interference does never arise

6) THE REAL FACTS OF THE CASE ARE THAT:-

i) It is submitted that the Nallaveni Yesaiah and one Bojja Sudhaker are the bonafide purchasers of the suit land through the registered sale deed 11331 of 2015 dt 19-11-2015 .After their purchase they alienated the part of the land covered the above registered sale deed to the extent of the area 0-05 gts to the defendant through registered sale deed 1549 of 2018 dt 3-4-2018 .since then the defendant is in continuous possession and in enjoyment of the suit land after his purchase the defendant approached the revenue authorities to mutate the same but the revenue authorities stated that due to small extent they unable to mutate the same as the Respondent/defendant also believed the words of the revenue authorities but the one of the vendor of the Respondent/defendant by Nallaveni Yesaiah with evil motive, taking advantage the revenue entries in the revenue record without any right he falsely executed the registered sale deed in fever of his wife, though he has no right what so ever over the suit land as it is illegal and arbitrary with an intention to grab the legal vested rights of the Respondent/defendants by virtue of the registered sale deed by suppressing the facts, It is further submitted that the wife of the Yesaiah subsequently executed the false registered sale deed though she has no any possession over the suit land in fact the vendor of the Petitioner/plaintiff and her husband by name Yesaiah are the behind back of thePetition/ suit and Plaintiff, these are the real facts of the case in fact the land transferred in fever of the Respondent/defendant since the date of the purchase he is in continuous possession of the suit land only with an intention to grab the land of the Respondent/defendant the Petitioner / plaintiff filed this false petitions/ suit though they have no right over the suit land these are the facts of the case. It is further submitted that under unbearable harassments made by the petitioners the Respondent/Defendant has filed a suit vide O.S NO. 48 of 2022 on the file of this Hon”ble court i.e suit for Injection and and for rectification of the revenue entries in which the the petitioner also filed their counter .

ii) It is father submitted that the Respondent / defendant is in possession and in enjoyment of the suit land in fact the petitioner/plaintiff neither the owner nor the possessor of the suit land .After the purchase of theRespondent/ defendant many times panchayaths were held in every panchayath the elderly persons found fault advised to amicable settlement but the malafide Petitioner/plaintiff and the vendor of the Respondent/defendant in collusion and joined hands and creating troubles to theRespondent/ defendant in fact many times for the panchayath they obtained the signatures of the Respondent/defendant on the blank stamp papers in fact the Respondent/defendant is not the well-educated just he is signatory in that olden days he was studied only for the extent of reading and signature but in fact the Respondent/defendant is nothing but illiterate it is taking advantage the vendor of the Respondent/defendant by name Yesaiah is blackmailing the Respondent/defendant taking advantage the signatures on the blank stamp papers in this connection also many times panchayaths held but the malfide Petitioner/plaintiff in collusion with the Yesaiah filed this false Petitions/suit in fact no rights transferred to the Petitioner/ plaintiff or any other person without consent and knowledge of the Respondent/defendant only with an intention to usurp the rights of the Respondent/defendant the Petitioner/plaintiff filed this suit the Yesaiah is behind back of this case as the Petition /suit is not maintainable . It is further submitted that the Petition/plaintiff filed another petition prior to filing of this suit over suit land videI.A.No.355 of 2022 in OS NO 107 OF 2022 .Infact the petition filed by the petitioner hit the rejudicata principles as the petition is estoppel and liable to dismissed

iii) It is submitted that the registered sale deed executed by the Nelaveni Yesaiah in fever of his wife is itself vide document no 830 of 2021 dated 7-8-2021 is not maintainable it is itself void document as it is not binding on the Respondent/defendant further his wife Nelaveni Vijaya executed the Registered sale deed is a further vide document No. 270 of 2022 dt 23-2 2022 in fever of this Petitioner/plaintiff as it cannot confer any rights over the suit land until and unless it was cancelled but the malafide plaintiff in collusion with the vendor of the Respondent/defendant brought into existence of the above false registered sale deeds through which the rights cannot transferred in fever of the Petitioner/plaintiff or any other person . In fact all those days thePetitioner/ plaintiff and her vendors who they are Esaiah and Vijaya is put the Respondent/defendant in to fear and block mailing to amicable settlement for which the elderly persons also assured to compromised the matter but the malfide Petitioner/ plaintiff with evil intention obtained the false decree as it is not binding on the Respondent /defendant further the Respondent/ defendant awaken when after recieving the notices in os no 79 of 2023 and enquired the matter as he came to know that the decree is passed in this suit i.e in os no 107 of 2022 as on which the Respondent/defendant filed his written statement along with the set aside and sec 5 limitation applications in that suit also these are the facts of the case.The Petition is filed only with intention to harass the Respondent in fact the Respondent is the law abiding citizen and ignorant in the village

iv) It submitted that viewed from any angle the petition is not maintainable in any corner as it is liable to be dismissed in limini

PRAYER-: It therefore prayed that the Hon”ble court may be pleased to dismissed thePetition with heavy costs

Date 14-11-2023 Respondent

VERYFICATION -: I the Respondent what I stated in the above paras of this counter are true and correct to the best of my knowledge and read over to me in telugu language and I understood the same and verified the same

14-11-2023 Respondent

Filed Through :- Nalla Bhoomi Reddy Adv,

Huzurabad

IN THE COURT OF THE PRL. JUNIOR CIVIL JUDGE AT HUZURABAD

I.A.NO. of 2023

in

OS.NO. 107 OF 2022

Between:- Nallavelly Thirupathi

Petitioner/Defendant AND

Nallala Mallamma

Respondent/Plaintiff

AFFIDAVIT

I Nallavelly Thirupathi s/o Rajaiah age 55 yrs occ.Agric. r/o H.No 1-21/1 Challure village of Veenavanka Mandal of Karimnagar dist dohereby state on oath as under

1. I submit that I am the petitioner herein and defendant of the suit as such I know the facts of the case
2. I submit That the Plaintiff filed the suit after that the panchayaths were held in the village in that panchayaths the elderly persons assured to me to clear the dispute in between the respondent and me, on which I did not cantact my counsel to file the writtenstatement and counter in the above case after filing the suit the elderly persons stated that maintain the status –co till the conduct of the panchayaths on which I keep silence. I further submitted that since 25-7-2023 I was fell in ill-health due to viral fever and romantoid –pains in joints , due to which I unable to move freely as I got treated with doctor and advised by the doctors to take bed rest , due to which I could not contact my counsel , after that the malafide respondents again filed a suit vide O.S No 79 of 2023 on the file of this Hon”ble court and in which I received notices on which I have enquired the matter through my counsel then I came to Know that the Decree is passed by this Hon”ble court on 28-8 -2023 aginst me in the above suit as it is illegal and arbitrary because of the Respondent is put me under the impression of the matter compromise before the elders but the malafide Respondent taking advantage of my ill-health and ignorance filed another suit on which I came know that the respondent is illegally try to cheat me under the guise of the court decrees as now I filling this petition to set-aside the false decree which is passed on 28-8-2023 ,as it is neither will full nor wanton only the Respondent miss represented me in the village to amicable settlement but in the court of law he procceded with case and obtained the false decree as it is illegal and arbitrary and until and unless cancel the Registered sale deed executed in fever of the petitioner the Decree is not binding on the petitioner/defendant as it is liable to be set aside and permit me to proceed with the case otherwise I will be put to irreparable loss would be caused to me

Hence the suit

Deponent

The deponent sworned and signed before me on this day 20 th day of nove. 2023 at Huzurabad

Identifide by Attested by

IN THE COURT OF THE PRL. JUNIOR CIVIL JUDGE AT HUZURABAD

I.A.NO. of 2023

in

OS.NO. 107 OF 2022

Between:- Nallavelly Thirupathi s/o Rajaiah age 55 yrs occ.Agric. r/o H.No 1-21/1 Challure village of Veenavanka Mandal of Karimnagar dist

Petitioner/Defendant AND

Nallala Mallamma s/o Raji Reddy age 58 yrs r/o Mamidalapally village of Veenavanka mandal of Karimnagar dist

Respondent/Plaintiff

PETITION FILED UNDER ORDER 9 RULE 13 R/W 151 OF C.P.C

MaY It Please Your Hounour

For the reasons and grounds stated in the accompanying affidavit the Hon”ble court may be pleased to set aside the decree which is passed on 28-8-2023 in the above case by allowing the petition in the interest of the justice and equity

Date 20-11-2023

Counsel for the Petitioner /Defendant

IN THE COURT OF THE PRL. JUNIOR CIVIL JUDGE AT HUZURABAD

I.A.NO. of 2023

in

OS.NO. 107 OF 2022

Between:- Nallavelly Thirupathi

Petitioner/Defendant AND

Nallala Mallamma

Respondent/Plaintiff

AFFIDAVIT

I Nallavelly Thirupathi s/o Rajaiah age 55 yrs occ.Agric. r/o H.No 1-21/1 Challure village of Veenavanka Mandal of Karimnagar dist dohereby state on oath as under

1. I submit that I am the petitioner herein and defendant of the suit as such I know the facts of the case
2. I submit That the Plaintiff filed the suit after that the panchayaths were held in the village in that panchayaths the elderly persons assured to me to clear the dispute in between the respondent and me, on which I did not cantact my counsel to file the writtenstatement and counter in the above case after filing the suit the elderly persons stated that maintain the status –co till the conduct of the panchayaths on which I keep silence. I further submitted that since 25-7-2023 I was fell in ill-health due to viral fever and romantic –pains in joints , due to which I unable to move freely as I got treated with doctor and advised by the doctors to take bed rest , due to which I could not contact my counsel , after that the malafide respondents again filed a suit vide O.S No 79 of 2023 on the file of this Hon”ble court and in which I received notices on which I have enquired the matter through my counsel then I came to Know that the Decree is passed by this Hon”ble court on 28-8 -2023 aginst me in the above suit as it is illegal and arbitrary because of the Respondent is put me under the impression of the matter compromise before the elders but the malafide Respondent taking advantage of my ill-health and ignorance filed another suit on which I came know that the respondent is illegally try to cheat me under the guise of the court decrees as now I filling this petition to set-aside the false decree which is passed on 28-8-2023 ,as it is neither will full nor wanton only the Respondent miss represented me in the village to amicable settlement but in the court of law he proceeded with case and obtained the false decree taking advantage of my ill-health as the delay of 83 days arose in filing the set aside application to set aside the decree passed on 28-8-2023 as it is illegal and arbitrary and until and unless cancel the Registered sale deed executed in fever of the petitioner the Decree is not binding on the petitioner/defendant as it is liable to be set aside and permit me to proceed with the case as the Hon”ble court may be pleased to condone the delay of 83 days i.e from 28-8-2023 to 20-11-2023 in filing the set aside application as the same may be condoned ,
3. otherwise I will be put to irreparable loss would be caused to me

Hence the suit

Deponent

The deponent sworned and signed before me on this day 20 th day of nove. 2023 at Huzurabad

Identifide by Attested by

IN THE COURT OF THE PRL. JUNIOR CIVIL JUDGE AT HUZURABAD

I.A.NO. of 2023

in

OS.NO. 107 OF 2022

Between:- Nallavelly Thirupathi s/o Rajaiah age 55 yrs occ.Agric. r/o H.No 1-21/1 Challure village of Veenavanka Mandal of Karimnagar dist

Petitioner/Defendant AND

Nallala Mallamma s/o Raji Reddy age 58 yrs r/o Mamidalapally village of Veenavanka mandal of Karimnagar dist

Respondent/Plaintiff

PETITION FILED UNDER ORDER UNDER SEC TION OF 5 LIMITATION ACT R/W 151 OF C.P.C

MaY It Please Your Hounour

For the reasons and grounds stated in the accompanying affidavit the Hon”ble court may be pleased to condone the delay 83 days i.e from 28-8-2023 to 20-11-2023 in filing the set aside application to set aside the decree which is passed on 28-8-2023 in the above case by allowing the petition in the interest of the justice and equity

Date 20-11-2023

Counsel for the Petitioner /Defendant