

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

TRANSFER CIVIL MISCELLANEOUS PETITION No.414 of 2015

ORDER:

This Transfer Civil Miscellaneous Petition, under Section 24 of the Code of Civil Procedure, 1908, is filed to transfer O.P.No.148 of 2013 on the file of I Additional District Judge, Ranga Reddy District at L.B.Nagar to the file of the District Judge at Warangal to try along with O.P.No.866 of 2013.

2. Case of the petitioner Cricket Association is that it was registered on 14.5.2002 under the Andhra Pradesh Societies Registration Act, 2001; that election to the petitioner Association was held on 13.5.2012 and after the election, the respondent, in collusion with the ex-members of the petitioner Association, stopped the release of the amounts to the petitioner Association; that petitioner Association addressed several letters to the respondent to recognize the elected body of the petitioner Association elected on 13.5.2012, as the Association is affiliated to the respondent, and as there is no response from the respondent, the petitioner Association filed O.P.No.148 of 2013 under Section 23 of the Societies Registration Act. The respondent, at the instance of third parties, conducted election on 01.09.2013 in the name of the petitioner Association. The third parties, who are not members of the petitioner Association participated in the said election. So, the petitioner Association filed O.P.No.866 of 2013 under Section 23 of the Societies Registration Act with a prayer to pass a judgment and decree declaring the election dated 01.09.2013 conducted in the name of the petitioner Association as illegal. Since the issue in both the O.Ps is relating to the elections to the petitioner Association, the present petition is filed seeking transfer in order to avoid conflict of judgments.

3. Though notice sent to the respondent was served, there is no appearance for the respondent and no counter is filed on behalf of the respondent.
4. Heard learned counsel for the petitioner Association.
5. Since the dispute relates to the elections to the petitioner Association and in view of the facts and circumstances stated above, both the O.Ps should be tried together to avoid conflict of judgments.
6. Accordingly, the Transfer Civil Miscellaneous Petition is allowed transferring O.P.No.148 of 2013 on the file of I Additional District Judge, Ranga Reddy District at L.B.Nagar to the file of the District Judge at Warangal to try along with O.P.No.866 of 2013. There shall be no order as to costs.
7. Miscellaneous Petitions pending, if any, in this Transfer Civil Miscellaneous Petition shall stand closed.

JUSTICE A.RAJASHEKER REDDY

Date: 10.12.2015
AMD

-

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

-
-
-
-
-
-
-
-
-
-
-
-
-

-
-
-
-

-
-
-

TR.C.M.P.No.414 of 2015

-
-
-

DATE: 10.12.2015

AMD