

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

Tr.C.M.P.No.739 of 2015

ORDER:

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This petition is filed by the petitioner for transfer of O.S.No.11 of 2015 on the file of Senior Civil Judge, Kandukur, Prakasam District filed for recovery of an amount of Rs.10,00,000/- to any Court of equivalent jurisdiction situated either at Visakhapatnam/Kakinada or any other place in the State of Andhra Pradesh.

The case of the petitioner is that respondent/plaintiff filed suit in O.S.No.11 of 2015, which is pending on the file of Senior Civil Judge, Kandukur, Prakasam District. The petitioner filed written statement. On 03-11-2015, the respondent and others attacked the petitioner at Kavali and in that regard a case in Cr.No.284 of 2015 was registered at Kavali Police Station for the offence under Section 506 r/w.34 IPC. It is stated that when the petitioner went to Kandukur to attend the Court on 16-11-2015 again when they attacked, he filed a complaint. However, the petitioner has attended the Court. As such sought transfer of O.S.

Heard learned counsel for the petitioner.

It is to be seen that attack was at Kavali on 03-11-2015 and it is stated that again on 16-11-2015 second attack was made at Kandukur but particulars regarding registering of crime was not given. But whereas, the case is pending at Senior Civil Judge's Court, Kandukur, Prakasam District and that cannot be ground for transfer. It is stated that complaint is given for second attack, but no crime number is given by the petitioner.

In view of the same, it is not the case of the petitioner that either cause of action arose at Visakhapatnam or Kakinada or the respondent is doing business there. Hence, I do not find any ground to entertain this transfer CMP.

Accordingly, the Transfer C.M.P. is dismissed. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

07-12-2015
Nvl

