

HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

Transfer Criminal Petition No.356 of 2014

ORDER:

Petitioners who are respondents in DVC No.2/2014 on the file of Judicial First Class Magistrate, Medak are seeking transfer of the said DVC to any Court in Ranga Reddy District or any Court in Secunderabad.

2) The submission of the petitioners is that the petitioner in the said DVC never stayed within the jurisdiction of Court at Medak and as a matter of fact, she is residing at Mylargadda and working in Infosys, Gachibowli and hence DVC No.2/2014 on the file of learned Judicial First Class Magistrate, Medak is not maintainable.

3) It is seen that whether the petitioner in DVC No.2/2014 is residing within the jurisdiction of JFCM, Medak and whether the said Court is having jurisdiction or not is a question of fact which has to be decided during the enquiry in the DVC. The petitioners are at liberty to agitate the same before the trial Court and the trial Court shall pass an order on merits with regard to jurisdictional issue among other contentions raised by the present petitioners.

4) With the above observations, this Transfer Criminal Petition is dismissed.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

U.DURGA PRASAD RAO, J

Date: 20-01-2015

Murthy