

THE HONOURABLE SRI JUSTICE S.RAVI KUMAR
TRANSFER CIVIL MISCELLANEOUS PETITION No.495 OF 2015

Dated 22nd March, 2016

Between :

K.Uma Maheswara Rao

... Petitioner-Defendant

a n d

Smt.Amirineni Ashoka

... Respondent-Plaintiff

THE HONOURABLE SRI JUSTICE S.RAVI KUMAR
TRANSFER CIVIL MISCELLANEOUS PETITION No.495 OF 2015

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ORDER:

This application is filed to withdraw O.S.No.93 of 2013 from Senior Civil Judge's Court, Khammam, and transfer the same to Additional Senior Civil Judge's Court, Tenali, Guntur District, to be tried along with O.S.Nos.54 and 56 of 2014.

Petitioner herein is defendant in above referred O.S.No.93 of 2013, which is filed for recovery of money based on pronote dated 28.12.2010 said to have been executed by the petitioner herein. It is stated in the affidavit that he has not received any money from the respondent and that the alleged promissory note is a created one. According to the affidavit of the petitioner, one Vasireddy Koteswar Rao S/o.Venkatappaiah obtained five pro-notes from the petitioner and those were pressed into service through different persons including Koteswara Rao himself and all the promissory notes were scribed by one Nageswara Rao on the

same day i.e. 28.12.2010 and as the suits are in different Courts. It is contended, for proper appreciation all the suits have to be tried by one Court and for that O.S.No.93 of 2013 pending on the file of Senior Civil Judge's Court, Khammam, has to be transferred to Additional Senior Civil Judge's Court, Tenali, where two suits are pending.

Respondent *in spite* of taking time for filing counter did not file any counter disputing the affidavit averments of the petitioner.

Considering the reasons stated in the affidavit, O.S.No.93 of 2013 is withdrawn from Senior Civil Judge's Court, Khammam, and transferred to Additional Senior Civil Judge's Court, Tenali, to be tried along with O.S.Nos.54 and 56 of 2014 in accordance with law.

Accordingly, the Transfer Civil Miscellaneous petition is allowed. Miscellaneous petitions pending in this petition, if any, shall stand closed.

S.RAVI KUMAR, J

22nd March, 2016.

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