

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

TRANSFER C.M.P.No.374 of 2016

ORDER :

This petition is filed under Section 24 of C.P.C. seeking to withdraw O.P.No.1216 of 2015 from the file of II-Additional Chief Judge, City Civil Courts, Hyderabad, and transfer the same to any of the District Courts at Ranga Reddy.

2. Petitioners herein filed O.P.No.1216 of 2015 before II-Additional Chief Judge, City Civil Courts, Hyderabad, under Section 23 of the Andhra Pradesh Societies Registration Act, 2001 (for short, 'the Act') mainly against respondent Nos.1 and 3, while showing respondent Nos.2 and 4 to 16 also as parties, however no relief sought against them in the main petition, to furnish the details of rents, which are distributed to respondent Nos.2 to 16 from 2011 onwards. Since the petitioners came to know that the Secretary shifted the registered office of the society to HIB, Hitech City 2, Sy.Nos.30/P, 34/P, 35/P and 38/P, Phoenix Infocity-SEZ, Behind Cyber Gateway, Gachibowli, Hyderabad, which is within the jurisdiction of District Court Ranga Reddy, thereby to avoid any complications of raising any contest of lack of territorial jurisdiction, present transfer petition is filed during pendency of O.P.No.1216 of 2015. .

3. Respondent Nos.1 and 3 even served failed to attend, hence taken as heard.

4. Perused the material on record.

5. As per Section 24 C.P.C. from clause (5), it is very clear that a suit or proceeding may be transferred in this section from a Court which has no jurisdiction to try it to other Court which is competent to try.

6. Having regard to the above, it is within the purview of Section 24 C.P.C. from shifting of the registered office, which is in another territorial jurisdiction, transfer petitioner can be allowed.

7. Accordingly, the transfer C.M.P. is allowed. O.P.No.1216 of 2015 is withdrawn from II-Additional Chief Judge, City Civil Courts, Hyderabad, and transferred to District Court, Ranga Reddy, for disposal in accordance with law.

8. Miscellaneous petitions pending, if any, shall stand closed. No costs.

27th September 2016.

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Dr. B. SIVA SANKARA RAO, J

