

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.55 of 2016

ORDER:

This application is filed to withdraw O.S.No.239 of 2014 from the Court of Senior Civil Judge, Allagadda, Kurnool District and transfer the same to the Court of Senior Civil Judge, Markapur, Prakasam District.

2. Petitioner herein is the first defendant in the above referred O.S.No.239 of 2014 and according to his affidavit, suit filed by him is pending before the Court of Senior Civil Judge, Markapur, Prakasam District, whereas suit filed by 1st respondent herein is pending before Allagadda of Kurnool District, and pleadings in these cases are one and the same and to avoid conflicting decisions, both suits have to be tried by one Court and therefore, he sought transfer of O.S.No.239 of 2014 from the Court of Senior Civil Judge, Allagadda, Kurnool District, to the Court of Senior Civil Judge, Markapur, Prakasam District.

3. First respondent refused to receive notice. Notice sent to 2nd respondent is duly served. Both the respondents neither appeared in person nor through their advocate.

4. Heard advocate for petitioner. Perused the affidavit filed in support of petition.

5. Considering the reasons stated in the affidavit, to avoid conflicting findings and decisions, O.S.No.239 of 2014 is withdrawn from the Court of Senior Civil Judge, Allagadda, Kurnool District, and transferred to the Court of Senior Civil Judge, Markapur, Prakasam District, to be tried along with O.S.No.28 of 2012 and O.S.No.189 of 2012.

6. The Transfer C.M.P. is ordered accordingly. Miscellaneous

petitions, if any, pending in this petition shall stand dismissed.

S. RAVI KUMAR, J

25th July, 2016.
Bvv