

THE HON' BLE DR. JUSTICE B.SIVA SANKARA RAO

TRANSFER CIVIL MISCELLANEOUS PETITION No.735 OF 2017

ORDER:

The transfer petition is filed by the petitioner/plaintiff under Section 24 C.P.C., to transfer W.O.P.No.1018 of 2015 on the file of the Principal District Judge, Warangal, to the Principal District Judge, Karimnagar, to be tried along with O.S.No.32 of 2014.

Undisputedly, the transfer petitioner is not even a party to the W.O.P.No.1018 of 2015 nor it is a case that any implead petition is filed, merely because the subject matter of the suit for specific performance in O.S.No.32 of 2014 is covered by the subject matter of the said winding up proceedings maintained by the Registrar of Chits, Warangal-respondent No.7 to O.S.No.32 of 2014 as sole petitioner, that cannot be a ground to transfer.

In view of the above observations and also need not to go into the contention of the 1st defendant to the suit of the very winding up O.P. is not maintainable and without inherent jurisdiction to the District Court at Warangal, that is a matter if at all to file an application before that Court for

rejection of the plaint for want of jurisdiction or to decide as preliminary issue.

Accordingly, the Tr.C.M.P. is disposed of.

Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. There shall be no order as to costs.

DR. B. SIVA SANKARA RAO, J

Date: 14.11.2017
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