

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

TRANSFER CIVIL MISCELLANEOUS PETITION No.16 OF 2013

ORDER:

Heard Sri Y.V. Ravi Prasad, learned counsel for the petitioners.

Precisely, the ground mentioned for seeking the relief of withdrawal of O.P.No.54 of 2011 (Old O.P. No.107 of 2010) from the file of Additional District Judge, Kovvur, and to transfer the same to the file of Principal District Judge, Eluru, was that on establishment of Additional District Court at Kovvur; M.V.O.P. was transferred and it is difficult for the petitioners to travel all the way to the Additional District Judge's Court at Kovvur as they are residents of Eluru.

In fact, on that ground, if the request is acceded to, certainly, the Court newly created, where the trial would take place immediately and cases will be disposed of, the very object of creating a new Court cannot be achieved. Therefore, the present request cannot be acceded to. More so, the petitioners, who are minors on the date of filing of the petition aged 16 and 4 years should have become majors now. The other petitioners can attend the Court and on the ground that they cannot bear the travel expenses. This request cannot be acceded to.

Hence, the Transfer Civil Miscellaneous Petition is dismissed. However, the learned Additional District Judge, Kovvur, is directed to dispose of the O.P. within a period of six months from the date of receipt of a copy of the order, and the petitioners shall cooperate with the Court by giving correct address of the 1st respondent, and in case

notice is not served resort to substituted service. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions if any pending in the Transfer Civil Miscellaneous Petition shall stand closed.

A.SHANKAR NARAYANA

Dt. 06.04.2018
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