

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.2057 of 2019

ORDER:

This civil revision petition is filed under Article 227 of the Constitution of India, by the petitioner herein/respondent No.1, aggrieved by the order dated 06.08.2019 passed in Transfer O.P.No.24 of 2019, by the Principal District Judge, Mahabubnagar, wherein the Court below allowed the said Transfer O.P filed under Section 24 of C.P.C by the respondents herein/petitioners seeking transfer of O.S.No.38 of 2018 pending on the file VII Additional District and Sessions Judge-cum-Special Judge under SC/ST (POA) Act, Mahabubnagar to any other competent Court.

2. Heard Sri Vedula Srinivas, learned counsel for the petitioner, Sri K. Rama Krishna Reddy, learned Senior Counsel for Sri M.V.S. Sridhar, learned counsel for respondent Nos.1 to 3 and perused the record.

3. Both the learned counsel having submitted for some time, ultimately stated that O.S.No.38 of 2018 pending on the file of VII Additional District and Sessions Judge-cum-Special Judge under SC/ST (POA) Act, Mahabubnagar, be withdrawn and transferred to the Court of the II Additional District Judge, Mahabubnagar.

4. As far as the merits of the case is concerned, the learned Principal District Judge, Mahaboobnagar, had neither exceeded

his jurisdiction nor committed any illegality or irregularity, while passing the impugned order.

5. Since there is uniformity between both sides as indicated above, O.S.No.38 of 2018 pending on the file of VII Additional District and Sessions Judge-cum-Special Judge under SC/ST (POA) Act, Mahabubnagar is withdrawn and transferred to the Court of II Additional District Judge, Mahabubnagar, for disposal in accordance with law. The impugned order dated 06.08.2019 passed in Transfer O.P.No.24 of 2019 by the Principal District Judge Mahabubnagar, is modified accordingly. It is needless to state that the transferee Court is directed to dispose of the pending Interlocutory Application seeking relief under Order XXXIX Rules 1 and 2 of the C.P.C, expeditiously, preferably within 30 days from the date of receipt of a copy of this order.

6. With the above directions, the civil revision petition is disposed of at the admission stage. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

Date: 20.09.2019
grk

Dr. SHAMEEM AKTHER, J