

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THURSDAY, THE THIRD DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER

TR.C.M.P.NO: 248 OF 2019

Between:

1. Aleti Buchi Reddy, S/o. Aleti Laxma Reddy, Aged 39 years, Occ. agriculture, R/o. Annaram village, Jinnaram Mandal, Medak district
2. Aleti Tirumal Reddy, S/o. Aleti Laxma Reddy, Aged 34 years, Occ. Agriculture, R/o. Annaram village, Jinnaram Mandal, Medak district
3. Aleti Rama Devi, W/o. Aleti Ravinder Reddy, Aged years, Occ. Housewife, R/o. 3-31, Annaram village, Gummadidala Mandal, Sanga Reddy District

...PETITIONERS

AND

1. The Government of T.S. Department of Revenue, Rep. by its Principal Secretary, Secretariat, Hyderabad.
2. The District Collector, Sanga Reddy district
3. The RDO, Sanga Reddy District, Sanga Reddy State of Telangana
4. The Tahasildar, Mandal Revenue Office, Gummadidala, Sanga Reddy district
5. The Village Revenue Officer, Laxmapuram village, Gummadidala Mandal, Sanga Reddy district
6. Aleti Laxma Reddy, S/o. Aleti Narayana Reddy, (died) Aged 85 years, Occ. Agriculture, R/o. Annaram village, Jinnaram Mandal, Medak district
7. Aleti Ravinder Reddy, S/o Aleti laxma Reddy, (died) Aged about 36 years, Occ. agriculture, R/o. Annaram village, Jinnaram Mandal, Medak District
(Respondent Nos. 6, 7 not necessary parties to the petition)

...RESPONDENTS

Petition Under Section 24 of the C.P.C. Praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to transfer the suit O.S.No. 9/2013 from the VIII Additional District Judge, Medak District at Medak to any other competent District Judge, in the premises of Sanga Reddy District Court building Sanga Reddy District, the suit schedule property comes under the territorial Jurisdiction of the Sanga Reddy District court building Otherwise, the plaintiff may get irreparable loss and injury which cannot be compensated or any order of this Honble court and the petition under take to continue their cooperative for early disposal of the case in the interest of justice.

IA NO: 1 OF 2019

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceeding in O.S.No. 9 of 2013 on the file of the VIII Additional District Judge, Medak District at Medak until disposal of the present TR. C.M.P.

Counsel for the Petitioner : M/s A.USHI REDDY

Counsel for the Respondent Nos.1 to 5 : GP FOR ARBITRATION

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Transfer Civil Miscellaneous Petition No.248 of 2019

ORDER:

This Transfer Civil Miscellaneous Petition, under Section 24 of the Code of Civil Procedure, 1908, is filed by the petitioners, requesting to withdraw O.S.No.9 of 2013 from the file of VIII Additional District Judge, Medak, and transfer the same to any competent Court in the premises of Sanga Reddy District Court building, Sanga Reddy District, for trial and disposal in accordance with law.

2. Heard the learned counsel for both the sides and perused the record.

3. Learned counsel for the petitioners would submit that the petitioners are the plaintiffs in the subject suit in O.S.No.9 of 2013 which was filed for declaration of title, permanent injunction and rectification of entries, before the learned VIII Additional District Judge, Medak. The said suit is coming for trial. Meanwhile, the Government of Telangana issued G.O.Ms.No.365, increasing the number of Districts in the State from 10 to 32 and also changing the Mandals. The subject matter of the subject suit now falls in a different Mandal in Sanga Reddy District and that the petitioners have taken steps not only to amend the cause title in the subject suit, but also the schedule in the suit to reflect the appropriate Mandal and District. The Government and its officials are the defendants in the subject suit and it would be convenient to the respondents, if the suit is now transferred to the Court of any

District Judge in the premises of Sanga Reddy District Court building from the court of the VIII Additional District Judge, Medak, and ultimately prayed to allow the Transfer Civil Miscellaneous Petition as prayed for.

4. Sri Mohd. Imran Khan, learned Government Pleader for Arbitration, appearing for the respondents, reported no objection to grant the relief sought by the petitioners in this petition.

5. In view of passing of G.O.Ms.No.365 by the Government of Telangana increasing the number of revenue districts and changing the Mandals and since the learned Government Pleader for Arbitration appearing for the respondents reported no objection for granting the relief sought by the petitioners, this Court is inclined to grant the relief sought by the petitioners in this petition.

6. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and O.S.No.9 of 2013 is withdrawn from the file of VIII Additional District Judge, Medak, and transferred to the Court of the Principal District Judge, Sanga Reddy, for trial and disposal in accordance with law.

Miscellaneous petitions, if any, pending in this Transfer CMP, shall stand closed. There shall be no order as to costs.

SD/-K.AMMAJI
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The VIII Additional District Judge, Medak District
2. The Principal District Judge, Sanga Reddy, Medak District
3. One CC to M/s K.Ushi Reddy, Advocate (OPUC)
4. Two CCs to G.P for Arbitration High Court for the State of Telangana at Hyderabad (OUT)
5. Two CD Copies

ks



HIGH COURT

DR.SA,J

DATED:03/09/2020

ORDER

TR.C.M.P.No.248 of 2019



ALLOWING THE TR.C.M.P
WITHOUT COSTS.

18/9/2020