

IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE AT HANUMAKONDA

Wednesday, the 27th day of December, 2023

Present: M. KRISHNA MURTHY,
Principal District Judge,
Hanumakonda.

T.R.O.P No. 7 OF 2023

Between:

1. Nookala Rama Devi, W/o. N. Sukender Reddy, Age. 58 years, Occ: Household, R/o. H.No.2-5-906/A/2, Sriyapathi Nilayam Apartments, Circuit Guest House Road, Hanamkonda.
2. Nookala Sukender Reddy, S/o. Late Jagannath Reddy, Age. 66 years, Occ: Retired employee, R/o. H.No.2-5-906/A/2, Sriyapathi Nilayam Apartments, Circuit Guest House Road, Hanamkonda.

...Petitioners

AND

1. Umareddy Narayana Reddy, S/o. Raji Reddy, Age. 50 years, Occ: Agriculture, R/o. Korkel (v), Veenavanka (M), Karimnagar District.
2. Smt. Ashraf Unnisa, W/o. Late Syed Yousuf Shareef, Age. 80 years, Occ: Household
3. Syed Ismail Shareef, S/o. Late Syed Yousuf Shareef, Age. 55 years, Occ: Business
4. Syed Abdullah Shareef, S/o. Late Syed Yousuf Shareef, age. 50 years, Occ: Business.

The respondent Nos.2 to 4 are residents of H.No.5-2-259, Edgah, Lashkar bazar, Hanamkonda, Warangal.

...Respondents

Claim:- This petition is filed under Section 24 of C.P.C. by the petitioner praying the court to transfer the suit in O.S.No.170/2022 (old O.S.153/2019) pending on the file of II- Additional District Judge, Hanumakonda to I- Additional District Judge, Hanumakonda to try along with O.S.No.143/2022 (old O.S.164/2016) on the file of I- Additional District Judge, Hanamkonda for disposal.

This petition coming up before me on today having in the presence of Sri M. Ravinder Babu, advocate representing counsel for petitioners, and Respondents 1 to 4 having chosen to remain ex parte; upon perusing the material papers on record upon hearing arguments and the matter having stood over for consideration till this day this Court made the following:-

: O R D E R :

Respondent No.1 is not present and no representation in call work and even at 01.20p.m. Counter is not filed though sufficient time was granted. Hence, R.1 is set ex parte. R.2 to R.4 already remained ex parte. Heard M. Ravinder Babu, advocate representing counsel for petitioners. Perused the record. Orders are pronounced.

2). This petition is to transfer O.S.No.170/2022 (Old O.S.153/2019) from the file of II- Additional District Judge (for short A.D.J) Hanumakonda to I-A.D.J, Hanumakonda for trial and disposal along with O.S.No.143/2022 (Old O.S.164/2016) stating that they are connected with each other and already there was earlier order for disposal of two suits by the same court.

3). The averments in the petition are not rebutted by the respondents and they remained ex parte. On perusal of the record it is clear that R.1 filed O.S.No.322/2016 (New O.S.170/2022) for injunction in respect of 800 square yards in S.No.188/B and it was pending before II-Additional Senior Civil Judge (for short A.S.C.J), Warangal. O.S.No.164/2016 (New O.S.143/2022) was filed for declaration and injunction by petitioners against the respondents in respect of 863 square yards in S.No.188 and it was pending before II-A.D.J, Warangal.

4). As per orders dated 27.02.2019 of my learned predecessor in TROP.No.773/2018 filed by the petitioners the suit from the file of II-A.S.C.J, Warangal was ordered to be transferred to II-A.D.J, Warangal for trial along with O.S.No.164/2016. Thereafter, due to bifurcation of districts judicially those two cases are before different courts which is not correct.

5). Hence, this petition is allowed. O.S.No.170/2022 (Old O.S.153/2019) is ordered to be transferred from the file of II-A.D.J, Hanumakonda to the court of I-A.D.J, Hanumakonda for trial and disposal in accordance with law along with O.S.No.143/2022 (Old O.S.164/2016).

(Typed to my dictation, corrected and pronounced by me in the open Court, this the 27th day of December, 2023)

PRINCIPAL DISTRICT JUDGE,
HANUMAKONDA.

Copy to:-

1. The I- Additional District Judge, Hanumakonda.
2. The II- Additional District Judge, Hanumakonda.