

**IN THE COURT OF PRINCIPAL DISTRICT JUDGE AT
KHAMMAM**

**PRESENT: SRI M.NAGARAJU
PRINCIPAL DISTRICT JUDGE**

Tuesday, July 28th, 2026

**Transfer OP No.9 of 2026
(CNR No.TSKH00-000453-2026)**

BETWEEN:

Maringanti Indira Priya W/o Seetha Rambabu, 48 years, Household, Permanent R/o H.No.4-2-220/1, Mamata Hospital Road, Khammam City and District, presently residing at Bhadrachalam Town, Bhadradri Kothagudem District

... Petitioner

AND

1. Allakunta Laxmi W/o Balaiah, 63 years, Household, R/o H.No.5-7-H0012, Ramachandraiah Nagar, behind Mamata Hospital, Khammam City and District
2. Allakunta Balaiah, 67 years, Mechanic, R/o H.No.5-7-Hoo12, Ramchandraiah Nagar, behind Mamata Hospital, Road, Khammam City and District

... Respondents

Counsel for Petitioner	: Sri Y.Srinivasa Rao
Counsel for Respondents	: Kum.P.Manasa

This petition coming on 24.07.2026 for final hearing; upon hearing the counsel on record and considering the material on record and having stood over for consideration till this day, this Court has made the following:

ORDER

1. This is a transfer petition filed by the petitioner against respondents under Section 24 of CPC with a prayer to transfer OS No.1216 of 2023 pending on the file of II Additional Junior Civil Judge, Khammam, to the

July 28

PDJ, KMM

Court of Principal Junior Civil Judge, Khammam and to club the same with OS No.257 of 2022 pending on the file of said Court, for proper adjudication, in the interest of justice.

2. The case of the petitioner/plaintiff, in nut shell, is that:

Initially, the respondent No.1 herein filed a suit vide OS No.257 of 2022 on the file of Principal Junior Civil Judge's court, Khammam for perpetual injunction, restraining the petitioner and husband of petitioner and his henchmen, from interfering with the peaceful possession and enjoyment of the respondent No.1 herein i.e., in OS No.1216 of 2023, over the suit schedule property. The suit vide OS No.257 of 2022 is posted for cross examination of PW2.

Subsequently, the petitioner has filed a suit vide OS No.1216 of 2023 for declaration of title and for recovery of possession against respondent Nos.1 and 2 herein which is pending on the file of II Additional Junior Civil Judge's Court, Khammam, and the said suit is coming up for framing of issues.

That originally the petitioner herein is the owner of the property, but the respondent Nos.1 and 2, who are wife and husband, intentionally raised the house in the property of this petitioner by showing wrong plot number

and wrong boundaries, with an intention to create troubles to this petitioner.

That the suit schedule property in both the cases is one and the same and the parties who are contesting the suits are also one and the same, as such, it is just and proper to club both the suits and trial together, in any one of the Courts. Further, if the said suits are in different Courts there is every possibility of conflicting of judgments. Hence, prayed to transfer the suit vide OS No.1216 of 2023 on the file of II Additional Junior Civil Judge, Khammam and club the same with OS NO.257 of 2022 pending on the file of Principal Junior Civil Judge, Khammam.

3. The respondents filed counter by denying the material averments of the petition.

It is contending that respondent No.1 had purchased the suit schedule house site in OS No.257 of 2022 under registered sale deed for a valid consideration and she obtained permission for construction from Khammam Municipal Corporation, Khammam; and that by producing the said permission, the respondent No.1 had obtained housing loan from SBI Kavirajnagar Branch, Khammam and completed construction in two years; and that they invited the petitioner and her husband for house warming ceremony.

Thereafter, the petitioner and her husband along with Vakadani Srihari have started demanding the respondent No.1 to sell away the house to them in a cheaper price, for which she declined. Keeping the same in mind they started harassing the respondent No.1, having vexed with the attitude of petitioner and others, the respondent No.1 herein has filed a suit vide OS No.257 of 2022 for perpetual injunction and the same is coming for cross examination of PW2. At this stage, the petitioner came up with this transfer petition.

Further, it is contended that this respondent No.1 has filed a petition for appointment of Commissioner/Advocate, to demarcate the exact location and to note down the physical features of the suit schedule property in OS No.1216 of 2023 with the help of map filed by the plaintiff and the said petition was filed on 18.04.2024, but till today, this petitioner did not choose to file the counter; and that the only apprehension of this petitioner is that if, the Commissioner is appointed, the real truth will be explored and the claim of this petitioner will be defeated. Therefore, prayed the Court to dismiss the petition, with exemplary costs, in the interest of justice.

4. Heard arguments from both sides.

5. Now, the point for consideration in this transfer OP is:

- (1) Whether the petitioner has made out any ground to seek transfer of OS No.1216 of 2023 pending on the file of II Additional Junior Civil Judge, Khammam to the Court of Principal Junior Civil Judge, Khammam, as prayed for?
- (2) To what relief ?

POINT No.1:

- (1) Whether the petitioner has made out any ground to seek transfer of OS No.1216 of 2023 pending on the file of II Additional Junior Civil Judge, Khammam to the Court of Principal Junior Civil Judge, Khammam, as prayed for?

6. The record reveals that the petitioner herein has instituted OS No.1216 of 2023 on the file of II Additional Junior Civil Judge, Khammam, for declaration of title and for recovery of possession against respondent Nos.1 and 2 herein in respect of house site measuring to an extent of 200 Square Yards in the plot No.15, in and out of Sy.Nos.43 and 44, situated at Pakabanda Area (behind Mamata Hospital), Khammam Municipal Corporation, Khammam District (Width and length of plot is 36.0 x 50.0 i.e., 200 Square Yards), which is bounded by East: 20 feet wide road, West: 20 feet wide road, North: Plot No.16 and South: Plot No.14 of defendant purchased from Vanama Sailaja represented by her GPA holder Srinivasa Rao.

The respondent No.1 herein has instituted OS No.257 of 2022 pending on the file of Principal Junior Civil Judge, Khammam, against petitioner herein as defendant No.3 and 02 others, for grant of perpetual injunction, in respect of the dwelling multi storied house bearing H.No.5-7-Ho0012, Ramachandraiah Nagar, behind Mamatha Hospital, Khammam, with admeasuring extent of 200 Square Yards, bounded by East: Municipal Road, West:Municipal Road, North:Plot No.15 and South:Plot No.13.

7. The learned counsel for respondents argued and submitted that as per the documents filed by her, the suit schedule property boundaries are different to that of petition listed documents and the suit schedule property is situated on the Southern side of Mamata Hospital, whereas as per the map filed by the respondent, the suit schedule property is situated on the Northern side. Further petitioners submits that the position of suit schedule plot is situated between plot Nos.14 and 16, whereas map annexed to the list of documents filed by the respondents is plot No.14. As such, both the suit schedule properties are different. Hence, prayed to dismiss the petition.

8. On careful perusal of material available on record it is found that the

suit schedule property in both the suits is different and the boundaries are also different and distinct; and that some of the parties in OS No.257 of 2022 are not parties to the suit in OS No.1216 of 2023 pending on the file of II Additional Junior Civil Judge, Khammam. Hence, in the circumstances of the case, this Court did not find any reason in seeking transfer of above suits. Accordingly, the point is answered.

POINT No.2:

To what relief?

9. As a result, the transfer OP is dismissed.

Partly typed to my dictation and partly dictated to Stenographer, transcribed by her, corrected and pronounced by me in the open Court on this the 28th day of July, 2026.

**PRINCIPAL DISTRICT JUDGE
KHAMMAM**