

APHC010363352025



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3606]

SUNDAY, THE 24th DAY OF AUGUST 2025

PRESENT

THE HONOURABLE SRI JUSTICE PURUSHOTTAM KUMAR CHINTALAPUDI
TRANS. CIVIL MISC.PETITION NO: 235 OF 2025

Between:

- 1.DR SASIDHAR SOMURI, S/O KRISHNAJI RAO, AGED ABOUT 46 YEARS, OCCUPATION DOCTOR, R/O 3216, INTEGRITY WAY, ROCK ISLAND, IL- 61201, ILLINOIS, UNITED STATES OF AMERICA.
- 2.SOMURI SANJANA, D/O DR. SASIDHAR SOMURI, AGED ABOUT 13 YEARS. BEING MINOR REPRESENTED BY FATHER AND NATURAL GUARDIAN, DR. SASIDHAR SOMURI, R/O 3216, INTEGRITY WAY. ROCK ISLAND, IL- 61201, ILLINOIS, UNITED STATES OF AMERICA. (PLAINTIFFS ARE REPRESENTED BY THEIR GENERAL POWER OF ATTORNEY HOLDER, SRI SOMURI KRISHNAJI RAO, S/O LATE VARA PRASADARAO, AGED ABOUT 71 YEARS, OCC BUSINESS, R/O 16/324-5A, MACHAVARAM, MACHILIPATNAM, BANDAR MANDAL, KRISHNA DISTRICT.

...PETITIONER(S)

AND

- 1.VEMURI RAVINDRA BABU, S/O LATE KOTESWARA RAO, AGED ABOUT 72 YEARS, OCC PROPERTIES, R/O PLOT NO. 21, KASUTI PURNACHANDRA NAGAR, VIJAYAWADA, KRISHNA DISTRICT.
- 2.VEMURI SUDEEP, S/O RAVINDRA BABU, AGED ABOUT 43 YEARS, OCC BUSINESS, R/O PLOT NO. 21, KASUTI PURNACHANDRA NAGAR, VIJAYAWADA, KRISHNA DISTRICT.

- 3.VEMURI PADMAVATHI, W/O RAVINDRA BABU, AGED ABOUT 71 YEARS, OCC HOUSEWIFE, R/O PLOT NO. 21, KASUTI PURNACHANDRA NAGAR, VIJAYAWADA, KRISHNA DISTRICT.
- 4.GURAJALA VENKAYAMMA, W/O LATE SAMBASIVA RAO, AGED ABOUT 83 YEARS, OCC HOUSEWIFE, R/O 9-6-7, MOTUPALLI VARI STREET, RAILPET, GUNTUR- 522001.
- 5.SUSHMA VEMURI, W/O ANUMALA RAJESH, AGED ABOUT 38 YEARS, OCC HOUSEWIFE, R/O 1353 COYOTE, CREEKWAY, MILPITAS, CALIFORNIA, 950357944, USA.
- 6.SUSHMITHA VEMURI, W/O M. KARTHIK, D/O VEMURI RAVINDRA BABU, AGED ABOUT 35 YEARS, OCC HOUSEWIFE, R/O 206 EAST FLAMINGO ROAD. LAS VEGAS, NEVADA- 89169, USA.

...RESPONDENT(S):

Counsel for the Petitioner(S):

- 1.K V ADITYA CHOWDARY

Counsel for the Respondent(S):

- 1.

The Court made the following:

THE HONOURABLE SRI JUSTICE PURUSHOTTAM KUMAR CHINTALAPUDI
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ORDER:

1. Heard learned Counsel for the Petitioner, Sri K.V. Aditya Chowdary.
2. Learned Counsel for the Petitioner submits that the suit in O.S.No.18 of 2025 was originally filed on the file of the Principal District Court, Krishna District at Machilipatnam. Upon establishment of the new Additional District Court, namely, the VI Additional District and Sessions Court at Avanigadda, the said suit was transferred from the Principal District Court, Machilipatnam, to the VI Additional District and Sessions Court, Avanigadda, having regard to its jurisdiction.
3. Learned Counsel further submits that no application under Section 24 of the Code of Civil Procedure, 1908 (for short "CPC") has been filed before the Principal District Court, Machilipatnam. The Principal District Court is competent to consider the transfer of cases within its jurisdiction.
4. In the case of ***K.Naseeruddin v. D.Abhimanudu***¹, this Court observed that though the High Court has got the concurrent jurisdiction to entertain the petitions filed under Section 24 of CPC, the Principal District Judge, who is having administrative control over the District is in a better position to decide the transfer petitions filed for transfer of the cases within the District.
5. In view of the above, this Court is of the considered view that the petitioner can be permitted to approach the Principal District Court, Machilipatnam for appropriate relief under Section 24 of CPC.

¹ 2023 SCC OnLine AP 3692

6. Accordingly, the Transfer Civil Miscellaneous Petition is disposed of with following observations:

- i. Tr.C.M.P.No.235 of 2025 is hereby dismissed, with liberty to the petitioner to file an application under Section 24 of CPC before the learned Principal District Judge, Machilipatnam.
- ii. Upon filing such application, the learned Principal District Judge, Machilipatnam, is requested to take up the application, afford an opportunity of hearing to both parties, and dispose of the same in accordance with law.
- iii. In the circumstances, there shall be no order as to costs.

The Interlocutory Applications, if any, pending in this Transfer Civil Miscellaneous Petition, shall stand closed.

JUSTICE PURUSHOTTAM KUMAR CHINTALAPUDI

Dated 24.08.2026

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THE HONOURABLE JUSTICE PURUSHOTTAM KUMAR CHINTALAPUDI

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Dated:24.08.2026.

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