



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

**[3397]**

FRIDAY, THE TENTH DAY OF OCTOBER  
TWO THOUSAND AND TWENTY FIVE

**PRESENT**

**THE HONOURABLE SRI JUSTICE VENUTHURUMALLI GOPALA  
KRISHNA RAO**

**TRANS. CIVIL MISC.PETITION NO: 14/2025**

**Between:**

Enumula Veeranjanyulu

**...PETITIONER**

**AND**

Sannayila Dhana Lakshmidied and Others

**...RESPONDENT(S)**

**Counsel for the Petitioner:**

1.N SRIHARI

**Counsel for the Respondent(S):**

1.

2.P VIJAYA KIRAN

**The Court made the following:**

**ORDER:**

The petitioner has filed the present petition under Section 24 of the Code of Civil Procedure, 1908, seeking to transfer O.S.No.06 of 2017, on the file of the IV Additional District Judge Court, Guntur to the any other District Court of Guntur District.

2. The case of the petitioner is that the respondents herein have filed a suit in O.S.No.6 of 2017, on the file of the IV Additional District Judge, Guntur, Guntur District, seeking relief for cancellation of sale deed bearing No.14447 of 2015, dated 09.10.2015 of S.R.O., Mangalagiri on the ground that the petitioner has got the said sale deed fraudulently. The petitioner contend that the respondents are openly proclaiming that they would get a favourable order and the petitioner is apprehending that during the tenure of the present presiding officer, the suit will be disposed of and the same is creating a doubt in the petitioner that the Court below is prejudiced against the petitioner, aggrieved by the same, the petitioners are constrained to file the present transfer petition seeking to transfer O.S.No.06 of 2017, on the file of the IV Additional District Judge Court, Guntur to the any other district Court of Guntur District.

3. The respondents have filed the counter affidavit by denying the material allegations leveled in the transfer petition. Learned counsel for the respondents would contend that there are no grounds to allow the present transfer civil miscellaneous petition and the petitioner herein has changed

several advocates before the trial Court and thereupon the subject matter of the suit in O.S.No.06 of 2017 is being adjourned from time to time and requested to dismiss the transfer civil miscellaneous petition.

4. Heard Sri N.Srihari, learned counsel for the petitioner and Sir P.Vijaya Kiran, learned counsel respondents. Perused the material available on record.

5. The case status proceedings filed by the learned counsel for the respondents shows that when the trial Court posted the matter on 05.09.2022, P.W.1 filed the chief affidavit and was called absent. Thereafter, the matter has been adjourned timely on the ground of compromise and the matter was posted to National Lok Adalat bench on 11.02.2023. on 11.02.2023, both the parties are called absent before the National Lok Adalat and the matter was not settled and returned back to the regular Court. Thereafter, when the matter was called on 16.08.2023, the trial Court posted the matter to 23.08.2023, for the cross-examination of P.W.1 on payment of costs of Rs.500/- to P.W.1 by the defendant. on 23.08.2023, P.W.1 was cross-examined in part and subsequently, the petitioner failed to further cross-examine P.W.1 and that his further cross-examination is treated as nil. The cross-examinations of the P.W.2 and P.W.3 are also treated as nil and the matter is being adjourned from time to time.

6. The main ground urged by the petitioner for seeking transfer of O.S.No.06 of 2017, from the learned IV Additional District Judge Court, Guntur is that the respondents are openly proclaiming that they will get a favourable order and that there is an apprehension to the petitioner that the said suit will

be disposed of during the tenure of the present presiding officer and it will cause severe and irreparable injury to the petitioner.

7. Necessity for transfer of suits from one Court to another would arise if only there exists any similarity of cause of action or commonality of the parties. When such situation does not exist, the relief claimed for the transfer of suit cannot be granted. Section 24 of CPC confers comprehensive power on the Court to transfer suits, appeals or other proceedings at any stage either on the application by any party or suo motu. Although discretionary power of transfer of cases cannot be imprisoned within a straight jacket of any cast, iron formula unanimously applicable to all situations, it cannot be gain said that the power of transfer of the case must be exercised with due care, caution and circumspection.

8. As seen from the material on record, no *prima facie* material has been placed by the petitioner to show that the presiding officer of the IV Additional District Court, Guntur, is acting unfairly or influenced by some extortions and considerations. The law is well settled that “*mere apprehension is not a ground for seeking transfer of a civil suit from one Court to another Court.*” For the aforesaid reasons, I do not find any merit and subsistence in the contentions taken by the petitioners and as such the present Transfer Civil Petition is liable to be dismissed as devoid of merit

9. Resultantly, the Transfer Civil Miscellaneous Petition is dismissed. There shall be no order as to costs.

As a sequel, miscellaneous petitions, if any pending and the Interim order granted earlier, if any, shall stand closed.

---

**JUSTICE V.GOPALA KRISHNA RAO**

Date: 10.10.2025

SRT