
(2003) 01 AP CK 0003
In the Andhra Pradesh High Court
Case No : TR. C.M.P No. 491 of 2002

Dr. Zagabathina Shashikanth

APPELLANT

Vs

Pasa Nagamanjula

RESPONDENT

Date of Decision : 21-01-2003

Acts Referred:

Civil Procedure Code, 1908 (CPC) — Section 24
Criminal Procedure Code, 1973 (CrPC) — Section 125

Citation : (2003) 01 AP CK 0003

Hon'ble Judges : P.S. Narayana, J

Bench : Single Bench

Advocate : K.G. Kruishna Murthy, for the Appellant; C.V. Bhaskar Reddy, for the Respondent

Final Decision : Dismissed

Judgement

P.S. Narayana, J.—Heard Sri K.G. Krishna Murthy, learned counsel representing the petitioner and Sri C.V. Bhaskar Reddy, learned counsel representing the respondent.

2. The transfer CMP is filed to transfer the case in M.C. No. 3 of 2002 on the file of the Additional Junior First Class Magistrate, Rayachoti filed u/s 125 of Cr.P.C. claiming maintenance of Rs.500/- per month and Rs.2,500/- for separate shelter and clothing. The present transfer CMP is filed u/s 24 of the Code of Civil Procedure. In the light of the allegations made in paras 2 to 6 in the affidavit filed in support of the transfer CMP, it is clear that the petitioner is seeking for the relief of transfer of the case in MC. No. 3 of 2002 referred to supra and such relief cannot be granted u/s 24 of the Code of Civil Procedure. Hence the present remedy, which had been thought of by the petitioner, definitely is a misconceived remedy. However, this order will not come in the way of the petitioner from filing appropriate proceedings before this Court, if the petitioner is advised to do so. Except making this observation, no further relief can be granted in the present transfer CMP.

3. Accordingly, the transfer CMP is dismissed. No orders as to costs.