

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HON'BLE SMT. JUSTICE RENUKA YARA

Tr.C.M.P. No. 392 of 2025

03rd FEBRUARY, 2026

Between:

Mr. B. Narsimha Reddy, Medchal Malkajgiri District.

...Petitioner

AND

The Commissioner, Thumukunta Municipality,
Medchal Malkajgiri District and others.

...Respondents

ORDER:

This Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, 1908, by the petitioner to transfer O.S. No. 31 of 2019 pending on the file of the learned Additional Senior Civil Judge, Medchal Malkajgiri District at Medchal.

2. Heard Mr. D. Amarender Reddy, learned counsel for the petitioner and Mr. Mohd Islamuddin Ansari, learned counsel for respondent No.3 as well as Mr. H. Venugopal,

learned senior counsel and Mr. K. Durga Prasad, learned counsel for the respondent No.5. Perused the record.

3. In sum and substance, the contention of the learned counsel for the petitioner is that he has apprehension that he would not get fair trial before the learned Additional Senior Civil Judge, Medchal Malkajgiri District at Medchal. Further, his contention is that respondent No.1-the Commissioner, Thumukunta Municipality Medchal Malkajgiri District and respondent No.6-the Commissioner Gundlapochimpally Municipality, Medchal Malkajgiri District, are not facilitating trial but making unnecessary allegations against the petitioner about his intentions to grab land which was meant for laying road to the District Court complex, Medchal Malkajgiri.

4. For the reasons best known to the petitioner, the allegations are made about the learned Additional Senior Civil Judge, Medchal Malkajgiri, being influenced by the respondent No.3 (defendant No.3). Said respondent No.3 is allegedly making statements in Bar Association that he has influenced the Presiding Officer and therefore, the

petitioner (plaintiff) would not be able to succeed in his case. For that purpose, photograph at page No. 130 of material papers is relied upon to show that at the time of handing over the land for construction of District Court complex, Medchal Malkajgiri, respondent No.3 was present along with the Presiding Officer. It is a point to be noted that said handing over took place in open area attended by members of Bar, Revenue Officials and staff of the Court.

5. In addition to the aforementioned contentions, learned counsel for the petitioner says that there are other factors which he cannot put on paper and which he cannot submit orally before this Court.

6. Learned counsel for the respondent Nos.3 and 5 submitted that there are no grounds for transfer and baseless allegations are made against all the concerned.

7. Both the learned counsel have taken this Court to the merits of the case of the respective parties. This Court is not inclined to make any observation with respect to the merits of the respective parties to ensure that neither of them suffers prejudice when the suit is adjudicated before

the learned Additional Senior Civil Judge, Medchal Malkajgiri District at Medchal.

8. Coming to the grounds of transfer, mere apprehension of adverse order cannot be a ground for transfer as per the judgment of the Hon'ble Supreme Court in ***R. Bala Krishna Pillai v. State of Kerala***¹. Further, the appearance of the Presiding Officer in a public gathering of handing over of land by the Revenue Officials which figures respondent No.3 cannot be a ground for transfer as the members of the Bar would be not attending such events and it is not possible to prevent anybody from attending such a gathering. Further, it is almost impossible for Presiding Officers to identify parties in civil suits to avoid the predicament of being photographed with them in public gatherings.

9. Further, the subject matter of the suit is not concerned with the property that is entrusted to the District Court for construction of a Court complex. The subject property in the suit is property of private parties for

¹(2000) 7 SCC 129

which any Presiding Officer is unlikely to have any kind of personal interest and is amenable for being influenced.

10. Reasons which are not mentioned as orally submitted by the learned counsel for the petitioner cannot be a ground for transfer. Only when reasons/grounds for transfer are mentioned and their veracity is considered, can this Court arrive at any conclusion about the need for transfer.

11. Apart from the aforementioned grounds, learned counsel for the petitioner states that a petition is filed seeking amendment to the prayer, wherein, declaration of title as well as recovery of possession are sought and once said amendments are carried out, the case may be made over to some other Court on account of pecuniary jurisdiction.

12. The eventuality of transfer of the suit on account of amendments based solely on merits is different from seeking transfer on apprehension that he may not get fair trial.

13. This Court is not inclined to transfer the O.S. No.31 of 2019 at this juncture on account of apprehension of not getting fair trial or false claims made by respondent No.3 in the Bar Association.

14. In the result, the Transfer Civil Miscellaneous Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this petition, shall stand closed.

RENUKA YARA, J

Date: 03.02.2026

gms/vpt

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