

THE HON'BLE MS. JUSTICE B.S. BHANUMATHI**TR. CRL. P. No.53 of 2021****ORDER:**

Heard learned counsel for the petitioner and learned Government Pleader for Labour.

2. This Transfer Criminal Petition is filed to transfer S.T.C. No.1 of 2018 on the file of the Court of the learned Additional Judicial First Class Magistrate, Srikakulam, to the Judicial First Class Magistrate Court, Yemmiganur, Kurnool District, on the ground that it is difficult for the petitioner to travel a long distance from Kurnool to Srikakulam and further, the Society is also running in losses and not able to meet the expenses.

3. The petition is opposed by the first respondent stating that the employee in respect of S.T.C. No.1 of 2018 is still working in Srikakulam District and the territorial jurisdiction is also within the Srikakulam District and there is no reason to transfer the case to Kurnool District.

4. It is settled law that for seeking transfer of a case from one Court to another Court, there need not be any territorial jurisdiction of the Court. It is not only the inconvenience of the petitioner, which is required to be seen, but inconvenience to the respondent in the event of transfer of the case is required to be examined. Even in the proceedings of the Court, the first respondent also should participate in the

enquiry like the petitioner. If the matter is transferred as requested, the first respondent also will be put to same kind of inconvenience. Therefore, on this ground of inconvenience of the petitioner, this case cannot be transferred. Except hardship and inconvenience, there is no other ground for seeking transfer of the case. Therefore, the Transfer Criminal Petition is liable dismissed.

5. The Transfer Criminal Petition is dismissed accordingly.
No order as to costs.

6. It is open for the petitioner to move an appropriate petition before the concerned Court seeking legal remedy as and when required to dispense with the presence.

7. Pending Miscellaneous petitions, if any, shall stand closed in consequence.

B.S. BHANUMATHI, J

Date: 22.07.2022

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THE HON'BLE MS. B.S. BHANUMATHI

TRANSFER CRIMINAL PETITION No. 53 of 2021

Date: 22.07.2022

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