

Andhra State Act, 1953

Section 38 - Transfer of Proceedings from Madras High Court to Andhra High Court

(1) Except as hereinafter provided, the High Court at Madras shall as from the prescribed day, have no jurisdiction in respect of the State of Andhra.

(2) Such proceedings pending in the High Court at Madras immediately before the prescribed day as are certified, whether before or after that day by the Chief Justice of that High Court having regard to the place of accrual of the cause of action and other circumstances to be proceedings which ought to be heard and decided by the High Court of Andhra shall as soon as may be after such certification be transferred to the High Court of Andhra.

(3) Notwithstanding anything contained in sub-sections (1) and (2) of this section or in section 30, but save as hereinafter provided, the High Court at Madras shall have and the High Court of Andhra shall not have, jurisdiction to entertain, hear or dispose of appeals, applications for leave to appeal including leave to appeal to the Supreme Court, applications for review and other proceedings where any such proceedings seek any relief in respect of any order passed by the High Court at Madras before the prescribed day :

Provided that if after any such proceedings have been entertained by the High Court at Madras, it appears to the Chief Justice of that High Court that they ought to be transferred to the High Court of Andhra he shall order that they shall be so transferred and such proceedings shall thereupon be transferred accordingly.

(4) Any order made by the High Court at Madras--

(a) before the prescribed day, in any proceedings transferred to the High Court of Andhra by virtue of sub-section (2), or

(b) in any proceedings with respect to which the High Court at Madras retains jurisdiction by virtue of sub-section (3),

shall for all purposes have effect, not only as an order of the High Court at Madras, but also as an order made by the High Court of Andhra.
