

Andhra State Act, 1953

Section 41 - High Court for the Added Areas of Mysore

(1) Except as hereinafter provided--

(a) the jurisdiction of the High Court of Mysore shall, as from the appointed day, extend to the whole of the transferred territory, and

(b) the High Court at Madras shall, as from that day, have no jurisdiction in respect of the transferred territory.

(2) Such proceedings pending in the High Court at Madras immediately before the appointed day as are certified 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 Mysore shall, as soon as may be after such certification, be transferred to the High Court of Mysore.

(3) Notwithstanding anything contained in sub-sections (1) and (2), but save as hereinafter provided, the High Court at Madras shall have, and the High Court of Mysore 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 appointed 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 Mysore 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 appointed day in any proceedings transferred to the High Court of Mysore 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 Mysore.

(5) Any person who immediately before the appointed day is an advocate entitled to practise or an attorney entitled to act in the High Court at Madras and was authorised to appear or to act in any proceedings transferred from that High Court to the High Court of Mysore under sub-section (2) or the proviso to sub-section (3) shall, on such transfer of the proceedings, have the right to appear or to act, as the case may be, in the High Court of Mysore in relation to those proceedings as an advocate or an attorney entitled to practise or to act in the High Court of Mysore.
