

Andhra State Act, 1953

Section 58 - Provisions as to Certain Pending Proceedings

(1) Every proceeding pending immediately before the appointed day before a Court (other than the High Court), tribunal, authority or officer--

(a) in any area which on that day falls within the State of Madras or the transferred territory shall, if it is a proceeding relating exclusively to any part of the territories which as from that day are the territories of the State of Andhra, stand transferred to the corresponding court, tribunal, authority or officer in the State of Andhra, or

(b) in any area which on that day falls within the State of Madras or the State of Andhra shall, if it is a proceeding relating exclusively to any part of the transferred territory, stand transferred to the corresponding court, tribunal, authority or officer in the State of Mysore.

(2) If any question arises as to whether any proceeding shall stand transferred under subsection (1), it shall be referred for the decision of the Chief Justice of the High Court at Madras and his decision shall be final.

(3) In this section--

(a) "proceeding" includes any suit, case or appeal, and

(b) "corresponding court, tribunal, authority or officer" in relation to a State means --

(i) the court, tribunal authority or officer in which the proceeding would have lain if the proceeding had been instituted after the appointed day, or

(ii) in case of doubt, such court, tribunal, authority or officer in the State as may be determined, before the appointed day by the Governor of Madras, and after the appointed day by the Governor or Rajpramukh of that State, to be the corresponding court, tribunal, authority or officer.