



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

**TR.C.M.P.No.339 of 2026
and C.M.P.No.9449 of 2026**

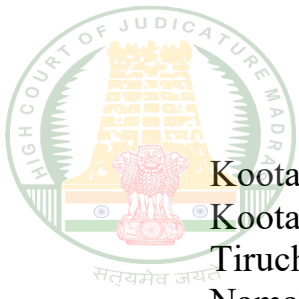
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M.V.Raajah
S/o. Venkatachalam,
No.9, 2nd Street,
Rajiv Gandhi Nagar,
Erukancherry,
Kodugaiyur,
Chennai – 600 118.

..Petitioner(s)

Vs

1. T.Chandrasekaran
S/o. K.Thangamuthu,
No.326/1, Therkku Thottam,
Sengodampalayam,
O.Rajapalayam Post,
Tiruchengode Taluk,
Namakkal District – 637209.
2. M.sureshKumar
S/o. Murugesan,
No.2/53, A.K.E.Road No.2,
Thiruchengode,
Namakkal District.
3. B.SenthilKumar
S/o.Balasubramaniam,
No.102/2-9, Velalar Colony,
Suriyampalayam Post,
Tiruchengode,
Namakkal District-637 211.
4. M.Sounthar
S/o. S.K.Mohan,
Old No. L-36B, New No.147



Kootapalli Colony,
Kootapalli Post,
Tiruchengode,
Namakkal District.

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5. C.Dinesh
S/o. Chandrasekaran,
No.6/250/1, Om Sakthi Nagar,
O.Rajapalayam Post,
KuttimeiKampatty,
Tiruchengode,
Namakkal District-637 209.
6. SabareeshKumar
S/o.Shanmugasundaram,
No.56,3rt Street,
Weavers Colony,
KoliKalnatham Road,
Tiruchengode,
Namakkal District.
7. The Director and Superintendent,
Regional Institute of Ophthalmology and
Government Ophthalmic Hospital,
Egmore,
Chennai-600 008.

..Respondent(s)

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C.,
praying to withdraw the proceedings in Probate O.P.No.93 of 2025 pending on
the file of the Principal District Court at Namakkal, and to Transfer the same to
the file of the Additional District Judge at Kancheepuram, to be tried and
disposed of in accordance with law.

For Petitioner(s): Mr.G.Saravanan

For Respondent(s): Ms.S.Yogalakshmi for R7
Additional Government Pleader
R1 to R6 – No appearance

**ORDER**

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This Transfer Civil Miscellaneous Petition has been filed seeking to withdraw the proceedings in Probate O.P.No.93 of 2025 pending on the file of the Principal District Court, Namakkal, and to transfer the same to the file of the Additional District Judge, Kancheepuram, to be tried and disposed of in accordance with law.

2.The petitioner is the 6th respondent in the Original Petition in O.P.No.93 of 2025. The 1st respondent is the deceased wife's own brother and the respondents 2 to 6 are the siblings of the 1st respondent. The 1st respondent has filed an Original Petition seeking to grant probate in respect of the Will dated 07.04.2021 registered as Document No.40 of 2021 on the file of the Sub Registrar Office, Tiruchengode of the properties and credits of the deceased Latha to the petitioner having effect throughout the State of Tamil Nadu. He further submits that the petitioner and the deceased wife jointly purchased the Item No.2 property on 11.08.2010 which was mentioned in the petition schedule in O.P.No.93 of 2025. The petitioner's wife was worked as a staff nurse in the 7th respondent hospital. He further submits that the petitioner is aged 62 years, he and the deceased wife were living together at Chennai but the brother of the deceased wrongly mentioned the jurisdiction as Namakkal and filed an Original Petition before the Principal District Court, Namakkal. The distance between



the petitioner's residence and the Principal District Court at Namakkal is 396 kms and it is very difficult for the petitioner to attend the court proceedings.

Therefore, he prays to transfer the case to the Additional District Judge, Kancheepuram.

3.Despite the names of the respondents 1 to 6 printed on the cause list, there is no representation on the side of the respondents.

4.None of the respondents have not raised any serious objection for transferring the case from the file of the Principal District Court, Namakkal to the file of the Additional District Judge, Kancheepuram.

5.I have gone through the affidavit filed in support of the transfer petition as well. I find merit in the submissions made by the learned counsel on either side.

6.Considering the facts and circumstances of the case, the submission made by the learned counsel on either side and considering the fact that petitioner is aged 62 years, this Court is inclined to transfer the case on the file of the Principal District Court, Namakkal to the file of the Additional District Judge, Kancheepuram. Accordingly, the case in O.P.No.93 of 2025 is hereby



withdrawn from the file of the Principal District Court, Namakkal and transferred to the file of the Additional District Judge, Kancheepuram. After receipt of the case papers from the Principal District Court, Namakkal, the Additional District Judge, Kancheepuram is directed to send a notice to the respondents within four weeks. After due service of notice, the Additional District Judge, Kancheepuram is directed to proceed with the matter in the manner known to law.

7. Accordingly, this transfer civil miscellaneous petition is allowed.

No costs. Consequently, connected civil miscellaneous petition is closed.

16-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

PAM

To

1. The Principal District Court,
Namakkal.
2. The Additional District Judge,
Kancheepuram.
3. The Director and Superintendent
Regional Institute of Ophthalmology and
Government Ophthalmic Hospital,
Egmore,
Chennai-600 008.



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TR CMP No. 339 of 2



T.V.THAMILSELVI, J.

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