



WEB COPY

TR CMP No. 1110 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-07-2026

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

**TR CMP No. 1110 of 2025
& CMP.No.24955 of 2025**

K.R.Ekambaram

..Petitioner(s)

Vs

Mohanraj

..Respondent(s)

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of CPC, to withdraw the suit in OS.No.88 of 2025 from the file of District Munsif Court, Thiruporur and transfer the same to the file of Principal and Sessions Court, Kanchipuram.

For Petitioner(s): Mr.A.E.Ravichandran

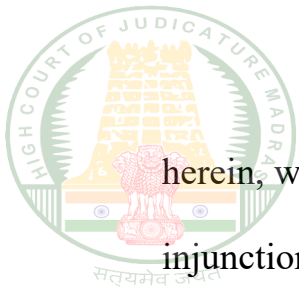
For Respondent(s): Mr.N.Ranjith Kumar

ORDER

This transfer application has been filed to withdraw the suit in O.S.No.88 of 2025 from the file of the District Munsif Court, Thiruporur and transfer the same to the file of the Principal and Sessions Court, Kanchipuram.

2. Heard the learned counsel for the parties.

3. According to the learned counsel for the petitioner, there is a suit for partition filed by, as many as 16 plaintiffs. The 1st plaintiff is the petitioner



herein, who is seeking transfer of the suit filed by the respondent herein for bare injunction pertaining to the suit property, which is part of O.S.No.19 of 2020, which is now pending before the District Court, Kanchipuram. According to the learned counsel for the petitioner, the 2nd plaintiff is the daughter of one T.P.Ranganathan Naicker and she has no grandson by name, Mohanraj. According to the petitioner, a fraudulent settlement deed has been created, by impersonating the 2nd plaintiff, Sarojini, as if she is Saroja, daughter of T.P.Ranaganathan Naicker and based on the said settlement deed, the respondent has laid a suit for permanent injunction to restrain the petitioner herein alone, from interfering with his peaceful possession and enjoyment. The learned counsel therefore states that when the larger relief of partition is pending before the Principal District Court, Kanchipuram, the permanent injunction suit filed in O.S.No.88 of 2025 before the District Munsif Court, Thiruporur, has to be necessarily transferred and jointly tried along the partition suit in O.S.No.19 of 2020.

4. Per contra, the learned counsel for the respondent would submit that the suit property is entirely different and the Paimash number, in respect of which injunction is sought for, is not covered in the suit property. He would further state that there is no necessity for the suit being tried along with the suit for partition, as the petitioner is claiming right in respect of a different property. He would also state that the respondent has been in peaceful possession and



enjoyment of his suit property, which is subject matter in O.S.No.88 of 2025, for the past several decades.

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5. This Court is only required to see whether the request for transfer has to be acceded to, without going into the merits of the respective allegations and claims made by the petitioner and the respondent. Prima facie, it is seen that the respondent claims under a settlement deed dated 05.02.2025, which has been executed by one Saroja, daughter of Ranganathan Naicker. The schedule to the said settlement deed comprises of the following survey numbers, viz., Survey Nos.43/1, 43/2, 43/3, 45/9B, 46/4, 48/7A, 48/7C, 49/1, 49/4, 49/6. On perusal of the plaint copy in the injunction suit, admittedly, the survey numbers are subject matter of the suit for partition, which is made available in O.S.No.19 of 2020.

6. In such view of the matter, when the very same property is also being sought for division and there is an independent claim made under a settlement deed, the genuineness of which is also put to challenge by the plaintiffs in the suit for partition suit, it is just and necessary to avoid multiplicity of proceedings and also conflicting orders, that both the matters are jointly tried.

7. The learned counsel for the respondent also brought to my notice that subsequent to the bifurcation of the districts, the suit property now lies within the territorial jurisdiction of the District Court at Chengalpet. This factual



position is admitted by the learned counsel for the petitioner. In the light of the above, considering the subsequent events and also my findings with regard to the necessity for the suits being tried together, I am inclined to dispose of the transfer application in the manner following:

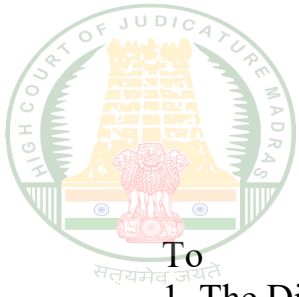
i) The suits in O.S.No.88 of 2025 on the file of the District Munsif Court, Thiruporur and O.S.No.19 of 2020 on the file of the Principal District Court, Kanchipuram, stand withdrawn from their respective files and transferred to the file of the Principal District Court, Chengalpet, to be disposed of by way of joint trial.

ii) The Principal District Court, Chengalpet, shall ensure that the pleadings in both the suits are completed, within a period of eight weeks from the date of receipt of court bundles from the District Munsif Court, Thiruporur, as well as Principal District Court, Kanchipuram and thereafter the learned Principal District Judge, Chengalpet, shall endeavour to try the suits jointly and dispose of the same on or before 30.04.2027.

iii) No costs. Connected Civil Miscellaneous Petition is closed.

10-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
ATA



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To

1. The District Munsif Court, Thiruporur.
2. The Principal and Sessions Court, Kanchipuram.



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P.B.BALAJI, J.

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