

In the High Court of Judicature at Madras

Dated: 17.02.2015

Coram:

The Honourable Mr. Justice R.SUBBIAH

Transfer Application No.5010 of 2014

in

O.S.No.1636 of 2012

1.K.Jayalakshmi Rao,
2.K.Gangaprasad
3.Usha Rao
4.Kandhi Chandrasekar

.... Applicants/Plaintiff

..VS..

1.Dasaparaksh Paradise
Rep by its Partner,
K.Ram Vittal Das.

2.K.Ram Vittal Das
3.K.Mathwamuni Das
4.Mrs.asha Vijaya Das
5.K.Vikram Das
6.K.Viswanath Das
7.Mrs.Madhavi Ballal
8.Mrs.Kamala

.... Respondents/Defendants

This application has been filed by the applicants/plaintiffs under Judges Summons under Order XIV Rule 8 of Original Side Rules and under Clauses 12 & 13 of Letters Patent read with Sections 24 & 151 of CPC, praying to transfer the suit in O.S.No.1636 of 2012 from the file of the learned I Additional Judge (TADA), City Civil Court, Chennai to the file of this Court.

Appearance:-

Mr.K.Ramu – for applicants/plaintiffs

Mr.M.S.Krishnan, Senior Counsel
(For M/s.Surana & Surana)

- For respondent/defendants

ORDER

This application has been filed by the applicants/plaintiffs praying to transfer the suit in O.S.No.1636 of 2012 from the file of the learned I Additional Judge (TADA), City Civil Court, Chennai to the file of this Court.

2.The brief facts, which are necessary to decide this application, are as follows:- The applicants herein originally filed a suit before this Court seeking for the relief of dissolution of the 1st respondent-Firm viz., M/s.Dasaprakash Paradise, Mysore, and to direct the respondents 1 to 4 to render accounts of the 1st respondent-Firm from 1988-89 and for consequential reliefs. Before filing the suit, the applicants had filed Application No.2782 of 2000 under Clause 12 of the Letters Patent seeking leave of the Court to institute the suit as a part of cause of action arose with the jurisdiction of this Court. But, the said leave application was dismissed by the learned Single Judge of this Court. Aggrieved over the same, the applicants had filed an appeal in O.S.A.No.255 of 2000 before the Division Bench of this Court. In the said appeal, by order dated 24.01.2001 leave was granted by the Division Bench to institute the suit as part of cause action arose within the jurisdiction of this Court. The relevant portion of the order passed the Division Bench reads as follows_

"2.Counsel for the appellants/plaintiffs says that he had sought leave only on account of the insistence of the Registry of this Court that such leave should be obtained as the properties belonging to the firm were located at Mysore, outside the jurisdiction of this Court. Counsel for the respondents says that the fact that the registration of the firm was in the city of Chennai, had not been brought to the knowledge of the learned trial Judge. The respondent ought to have disclosed that fact.

3.Having regard to the undisputed facts that the firm is registered in the city of Chennai, there can be no doubt that a suit for dissolution of such a firm is maintainable in this Court.

4.The impugned order is, therefore, set aside. The suit shall be registered and the matter be proceeded thereafter, in accordance with law. The appeal is allowed."

Thereafter, the suit was numbered as C.S.No.154 of 2001. The suit was valued by the applicants/plaintiffs at Rs.10,00,500/- at the time filing the suit. After filing the suit, the defendants have filed a written statement and issues were framed and a receiver was also appointed. But, subsequently, due to enhancement of pecuniary jurisdiction of the City Civil Court from Rs.10 lakhs to Rs.25 lakhs, the said suit was

transferred from this Court to the file of the City Civil Court, Chennai and the same was renumbered as O.S.No.1636 of 2012 and now it is pending before the learned I Additional Judge, City Civil Court, Chennai.

3.Now, the present application has been filed by the applicants seeking to transfer the said suit from the City Civil Court, Chennai to this Court, stating that since a part of cause of action had arisen within the jurisdiction of this Court; that the suit had rightly been filed by the applicants before this Court after securing the leave to file the suit against the respondents; in view of the special provision under Clause 12 of the Letters Patent, this Court alone has jurisdiction to try the suit; that the enhancement of pecuniary jurisdiction of the City Civil Court does not affect the jurisdiction of this Court; that the suit has been mistakenly transferred by the Registry of this Court to the file of the City Civil Court only on the ground of enhancement of pecuniary jurisdiction of the City Civil Court; that the City Civil Court is not competent forum to decide the suit as the City Civil Court does not have territorial jurisdiction; that under Clause 12 of Letters Patent jurisdiction has been provided to this Court to try the suits, but such jurisdiction has not been provided to the City Civil Court to try the suit.

Thus, the applicants sought for transfer of the suit from the City Civil Court to this Court.

4.The above transfer application is opposed by the respondents by filing a counter contending that the suit was numbered in the year 2001 and the case was ripe for framing of issues in the year 2002; but the applicants/plaintiffs had not taken any effort to bring up the case till the year 2008; the issues were framed in the suit on 28.08.2008; the case was posted before the learned Master for the applicants/plaintiffs' evidence; the case came up before the Master for plaintiffs' side evidence on 21.10.2008, 18.11.2008, 28.11.2008 and 01.12.2008; the applicants/plaintiffs failed to let in evidence; the applicants/plaintiff did not chose to get into the box; the 3rd defendant in the suit had expired on 07.11.2002, but the applicants/plaintiffs filed an application to bring the Legal Heirs of the deceased 3rd defendant only after a delay of more than 1000 days; after the legal heirs were brought on record, the case was again posted for trial on 02.07.2009; again the applicants did not get along with the trial; thereafter, due to the enhancement of pecuniary jurisdiction, the suit was transferred from this Court to the City Civil Court and renumbered as O.S.No.1636 of 2012. It is further stated by the respondents that the case was

listed before the City Civil Court on several days between the year 2012 - 2014; but the applicants/plaintiffs had been evading to get into the box under one pretext or the other; now, the applicants by filing frivolous applications are taking undue advantage of the Interim order obtained by them on 25.07.2001 appointing the 2nd applicant as a Joint Receiver; the application for leave to sue had been filed by the applicants in view of the fact that some of the respondents/defendants had been residing outside the jurisdiction of this Court. One of the reasons stated by the applicants in the leave application was that a part of cause of action has arisen in Chennai; since a part of cause of action has arisen in Chennai, the City Civil Court would have jurisdiction to try the suit. Thus, the respondents sought for dismissal of the application.

5.To the counter filed by the respondents, the applicants have filed a reply statement reiterating the averments made in the affidavit filed in support of the above transfer application.

6.The learned counsel for the applicants/plaintiffs submitted that the applicants had filed the plaint along with an application for leave to sue, since the defendants are residing outside the jurisdiction of this

Court. The learned Single Judge of this Court dismissed the leave application. Aggrieved over the same, the applicants had filed an appeal in O.S.A.No.255 of 2000 before the Division Bench of this Court. The Division Bench of this Court by order dated 24.01.2001 allowed the appeal and directed the Registry to number the suit.

7.It is the submission of the learned counsel for the applicants that the order passed by this Court in the leave to sue application would fall within the category of 'judgment' and since the Division Bench of this Court by delivering a Judgemnt has granted a leave to the plaintiff to file a suit on the original side of this Court, the suit has to be retained only on the file of the Original Side of this Court. In support of his contention that the order passed in the application filed under Clause 12 of Letters Patent is only a Judgment, the learned counsel for the applicants relied upon the judgment of the Hon'ble Supreme Court reported in ***AIR 1953 SC 198 (Asrumati Debi Vs. Kumar Rupendra Deb Raikot and ors)***, wherein it has been held as follows_

“Leave granted under Clause 12 of the Letters Patent constitutes the very foundation of the suit which is instituted on its basis. If such leave is rescinded, the suit automatically comes

to an end and there is no doubt that such an order would be a judgment. If, on the other hand, an order is made dismissing the Judge's summons to show cause why the leave should not be rescinded, the result is, *as Sir Lawrence Jenkins pointed out (vide Gaghoji Vs. Camaji, I.L.r. 29 Bom.249)*, that a decision on a vital point adverse to the defendant, which goes to the very root of the suit, becomes final and decisive against him so far as the Court making the order is concerned. This brings the order within the category of a 'judgment' as laid down in the Calcutta cases. We need no express any final opinion as to the propriety or otherwise of this view. It is enough for our purpose to state that there is difference between an order refusing to rescind leave granted under Clause 12 of the Letters Patent and one under Clause 13 directing the removal of a suit from one court to another, and there is no good reason to hold that principle applicable to one applies to the other also."

8.Further, the learned counsel for the applicants submitted that since this Court has granted leave to the plaintiff to file a suit on the original side of this Court, such a suit can not be tried by the City Civil Court. Therefore, the suit ought to have been retained on the file of

this Court. In support of this contention, the learned counsel for the applicants relied upon the judgment reported in **1997 (II) CTC 1 (Central Bank of India Vs. Mr. Joseph and 20 others)**. The learned counsel for the applicants has also relied upon the judgment of this Court reported in **AIR 2006 MADRAS 218 (M/s. Sundaram Finance Ltd Vs. M.K. Kurian and another)** to give stress to his submission, wherein it has been held as follows_

“. So far as the city of Chennai is concerned, the ordinary original civil jurisdiction is vested in the High Court and not in the City Civil Court. The very preamble of the Chennai City Civil Court Act speaks of establishment of an additional Civil Court for the city of Chennai. It is the civil court of limited pecuniary jurisdiction having power to deal with the matters involving the value of less than Rs.10 lakhs, whereas under Clause 12 of the Letters Patent, the High Court has unlimited original jurisdiction and this jurisdiction was expressly saved under Section 16 of the Chennai City Civil Court Act. Competency embodied by this section is pecuniary competency and it has been held that this Section lays down a rule of procedure and not of jurisdiction. While it enjoins the institution of a suit in the court of the lowest

grade competent to try it, it does not oust the jurisdiction of the Court of a higher grade. Even if the Court of a higher grade tries and disposes of a suit which could have been instituted in a Court of a lower grade, the decision rendered is not without jurisdiction (see Ramamirthyam Vs. Ram Film Service (FB) AIR(38) 1951 Madras 93). It is thus clear that as far as the City of Chennai is concerned, the words principal civil court of original jurisdiction, as defined in Section 2(1)(e) of the Act, would mean the High Court exercising jurisdiction on the original side and not the City Civil Court. More over, the interpretation suggested by the learned single Judge would mean that there would be two principal civil courts, i.e. the High Court and the City Civil Court and such an interpretation is clearly ruled out by the words but does not include any civil court of a grade inferior to such principal civil court."

By relying upon the abovesaid judgment, the learned counsel for the applicants submitted that under Clause 12 of Letters Patent, the High Court has unlimited original jurisdiction and such jurisdiction has expressly been saved under Section 16 of the Chennai City civil Court Act; since the pecuniary jurisdiction of the City Civil Court was

enhanced from Rs.10 lakhs to Rs.25 lakhs, the same cannot oust the jurisdiction of this Court from trying the suit; therefore, according to the learned counsel for the applicants, there cannot be any impediment in transferring the suit from the City Civil Court to this Court.

9.Per contra, the learned counsel for the respondents submitted that the judgment reported in **1997 (II) CTC 1** (*cited supra*) relied upon by the learned counsel for the applicants cannot be made applicable to the facts of this case. The said judgment deals about a suit for mortgage. The factual aspects of that case would show that the land involved in that suit was situated outside the territorial jurisdiction of this Court; under Clause 16 of CPC, the suit for a mortgage can be filed within the local limits of the Court whose jurisdiction the property situated. Therefore, in the said case, the suit pending before the City Civil Court, which was originally transferred from this Court, was allowed to be retransferred to this Court, since this Court has already granted leave under Clause 12 of Letters Patent; but the said judgment cannot be made applicable to the case on hand, because in the instant case the suit has been filed for dissolution of the first respondent firm viz., M/s.Dasaprakash Paradise, Mysore, and to direct

the respondents 1 to 4 to render accounts of the 1st respondent-Firm from 1988-89 and for consequential reliefs. Since a part of cause of action has arise in Chennai, the City Civil Court will have the jurisdiction to try the suit.

10.The learned counsel for the respondents further submitted that it is no doubt, Section 16 of Madras City Civil Court Act keeps the original jurisdiction of this Court intact; but, in view of the Amendment Act 19/2010, the pecuniary jurisdiction of the City Civil Court has been enhanced to Rs.25 lakhs from Rs.10 lakh; hence, all the suits, which are valued below Rs.25 lakhs, were transferred from this Court to the City Civil Court; if the suit is transferred to this Court it would defeat the very object of the Amendment Act 19/2010.

11.In this regard, the learned counsel for the respondents has relied upon by the judgment delivered by the Full Bench of this Court reported in **1951 MLJ 122 (V.Ramamirtham, Sole Proprietor, Glorious Pictures Vs. Rama Film Service)** and submitted that when similar issue arose in the year 1951, when jurisdiction of the City Civil Court was enhanced to Rs.8,000/- to Rs.10,000/-, similar contention was raised before the Full Bench at that time also; but, such

contention was rejected by the Full Bench of this Court. Thus, the learned counsel for the respondents sought for dismissal of the application.

12.Keeping the submissions made on either side, I have carefully perused the materials available on record.

13.The applicants herein are the plaintiffs in O.S.No.1636 of 2012 pending on the file of the learned I Additional Judge (TADA), City Civil Court, Chennai. Originally the said suit was filed by the applicants before this Court, after obtaining leave, under Clause 12 of Letters Patent and the suit was numbered as C.S.No.154 of 2001. While so, the pecuniary jurisdiction of the City Civil Court was enhanced to Rs.25 lakhs from Rs.10 lakhs by amending the Chennai City Civil Court Act, 1892, in and by Amendment Act 19/2010. Sections 3 and 4 of the Amendment Act 19/2010 read as follows__

Section 3 :- In the Chennai City Courts Act, 1892,__

(1)in section 4, in sub-section (2)_

(a)for the expression 'five lakh rupees' occurring in two places, the expression 'ten lakh rupees' shall be substituted;

(b)for the expression 'ten lakh

rupees', the expression "twenty-five lakh rupees' shall be substituted;

(2)in section 15, the existing sub-section (2-C) shall be renumbered as sub-section (2-D), and before sub-section (2-D) as so renumbered, the following sub-section shall be inserted, namely_

"(2-C) All appeal pending in the High Court of which the amount or value of the subject matter of such appeals exceeds three lakh of rupees but does not exceed five lakh of rupees shall stand transferred to the Chennai City Civil Court".

Section 4:- (1)All suits pending in a District Court on the date of the commencement of this Act and which would be within the cognizance of the Subordinate Court under the provisions of the Tamil Nadu Civil Courts Act, 1873 (Central Act III of 1873), as amended by this Act, shall stand transferred to the Subordinate Court having jurisdiction over the subject matter.

(2)All suits pending before the Additional Judge or a Principal Judge or in the High Court on the date of the commencement of this Court and which would be within the cognizance of the Chennai City Court under the provisions of the Chennai City Civil Court Act, 1892(Central Act VII of 1892), as amended by this Act, shall stand transferred to the Assistant Judge, Additional Judge or the Principal Judge, having

jurisdiction over the subject matter.”

In view of the above said Amendment Act 19/2010, all the suits pending before the Original Side of this Court upto to the value of Rs.25 lakhs were transferred to the City Civil Court. Hence, C.S.No.154 of 2001 was also transferred from this Court to the City Civil Court and renumbered as O.S.No.1626 of 2002, since the said suuit was valued for less than Rs.25 lakhs.

14.Now, it is the submission of the learned counsel for the applicants that in the present case, the applicants have obtained leave from this Court to file the suit under Clause 12 of Letters Patent. The order passed by this Court in the leave to sue application will fall within the meaning of 'Judgment' since the Division Bench of this Court has granted leave by delivering a Judgment the suit has to be retained on the original side of this Court. Further, Section 16 of the City Civil Court Act keeps the original jurisdiction of this Court intact. Therefore, there cannot be any impediment in retransferring the suit from the City Civil Court to this Court. In this regard, the learned counsel for the applicants has mainly relied upon the judgment reported in **1997 (II) CTC 1 (Central Bank of India Vs. Mr.Joseph and 20 others)**, wherein it has been as follows_

"2. These transfer applications, by the plaintiffs in different suits which were earlier transferred from the original side of this Court to the City Civil Court, Chennai, presumably pursuant to Section 4(1) of Tamil Nadu Civil Courts and Madras City Civil Courts (Amendment) Act, 1995, seek retransfer of those suits from the City Civil Court to the Original Side of this Court, on the ground that the very same Section 4(1) does not authorise transfers of such suits to City Civil Court.

3. The said Section 4(1) runs as follows:-
 "All suits pending in the High Courts on the date of the commencement of this Act and *which would be within the cognizance of the Madras City Civil Court* under the provisions of the Madras City Civil Court Act, 1892 (Central Act VII of 1892) as amended by this Act shall stand transferred to the Madras City Civil Court."

4. What learned Counsel for applicants submits is that cognizance of the abovesaid suits cannot be taken by the City Civil Court, since in those mortgage suits by the plaintiffs-Banks for recovery of monies lent on suit mortgages, the lands or other immovable properties mortgages, are situate outside the limits of the territorial jurisdiction of the City Civil Court, Chennai and that, as such, by virtue

of Section 16, C.P.C., the City Civil Court, Chennai has no territorial jurisdiction to try those suits.

5.No doubt, this Court, while the said suits were pending on its file, by granting leave spoke to in clause 12 of the Letters Patent, secured to itself such jurisdiction to try them, presumably on the footing that the cause of action has arisen partly within the local limits of the ordinary original jurisdiction of this Court.”

A reading of the above said judgment would show that the said Judgment was delivered in a mortgage suit. The factual aspect of that case would show that the mortgaged land in that case was situated outside the jurisdiction of the City Civil Court. Originally the suit was filed before the original side of this Court after obtaining leave under Clause 12 of Letters Patent. This Court has also granted leave since the mortgage suit is not suit for a land and it is only a suit for recovery of money by enforcing the mortgage and the same does not involve title to the land or decree for possession of the land. Hence, in that case, leave was granted by this Court under Clause 12 of Letters Patent. But, so far as the City Civil Court is concerned, there is a specific bar under Section 16 of CPC to entertain the suit, if the land is situated outside the jurisdiction of the City Civil Court in respect of

mortgage suits. Section 16(c) of CPC reads as follows_

"Subject to the pecuniary or other limitations prescribed by any law, suits_

(a)...

(b)...

(c)for foreclosure, sale or redemption in the case of a mortgage of or charge upon immovable property.

(d)....

(e).....

(f).....

shall be instituted in the Court within the local limits of whose jurisdiction the property is situate:

Hence, the Division Bench of this Court in that case by considering Section 16(c) of CPC retransferred the suit from City Civil Court to the Original Side of this Court stating that when in the mortgage actions, the property mortgaged is outside the jurisdiction of the City Civil Court, Chennai, than the City Civil Court shall have no jurisdiction to try the same. From the above Judgment, I find that since the City Civil Court has no inherent Jurisdiction to try the suit for mortgage, since the mortgaged land was situated outside the jurisdiction of the City Civil Court and hence, the Division Bench has retransferred the suit from the file of the City Civil Court to the original side of this Court.

15. But, in the instant case, the suit has been filed for dissolution of the first respondent firm viz., M/s. Dasaprakash Paradise, Mysore, and to direct the respondents 1 to 4 to render accounts of the 1st respondent-Firm from 1988-89 and for consequential reliefs. According to the learned counsel for the applicants, a part of cause of action for filing the suit arose with the jurisdiction of this Court. The relevant portion in the plaint with regard to the cause of action is as follows_

"30. The cause of action for the above suit arose at Chennai where the settlements between the parties took place and where the defendants have their place of residence.....

31.... subsequently on various dates when the defendants and the plaintiffs held meetings at Chennai in the presence of mediators for attempting a settlement of the problem...."

When a part of cause of action arose in Chennai, the City Civil Court would have jurisdiction to try the suit even if the defendants are residing outside the jurisdiction of the Court. Therefore, so far as the present suit is concerned, the City Civil Court has inherent jurisdiction to try the suit. So far as the original side jurisdiction of this Court is

concerned, since the defendants are residing outside the jurisdiction of this Court, leave to sue is necessary under Clause 12 of Letters Patent. Hence, this Court has granted leave to sue. Since the leave was granted by this Court to file the suit, it will not confer any right or create any bar to entertain the suit by the City Civil Court when part of cause of action arose within the jurisdiction of the City Civil Court. Only thing which this Court has to see is whether the City Civil Court is having inherent jurisdiction to entertain the suit. In view of part of cause of action arose within the jurisdiction of the City Civil Court, in my considered opinion, the City Civil Court would have the power to entertain the suit.

16. But, it is the submission of the learned counsel for the applicants that the inherent jurisdiction of the City Civil Court cannot oust the original side jurisdiction of this Court and as such the suit can be retransferred to this Court, since the plaintiff had obtained leave under Clause 12 of Letters Patent to file a suit on the Original Side of this Court. In this regard, the judgment of the Full Bench of this Court reported in **1951 MLJ 122 (V. Ramamirtham, Sole Proprietor, Glorious Pictures Vs. Rama Film Service)** gives a fitting answer to this issue. The relevant portion in the said judgment reads as follows_

“The object of Section 15, Civil Procedure Code, is to prevent superior Courts being flooded or overcrowded with suits triable by Courts of inferior grade. The section merely regulates procedure and not jurisdiction. It does not deprive Courts of superior pecuniary grade of their jurisdiction to try suits which should ordinarily be tried by Courts of inferior grades. Sections 12 and 13, Madras Civil Courts Act (III of 1873), do not fix the lower limit of the pecuniary jurisdiction of District munsiffs, Subordinate Judges and District Judges. Section 6, Civil Procedure Code, merely deprives a Court of an inferior grade, of jurisdiction to try a suit the subject-matter of which exceeds the pecuniary limit of its jurisdiction, this limit being imposed under the Madras Civil Courts Act and the Madras City Civil Court Act. Section 15 itself recognises that Courts of more than one grade would have jurisdiction to try a suit by the use of the expression “Court of the lowest grade”, which would have no meaning if only one Court had exclusive jurisdiction to try the suit. Consequently it has been held that a Court of a superior grade does not act without jurisdiction in trying a suit which, under Section 15, might and ought, by reason of its valuation, to have been tried by an inferior Court.”

From the reading of the dictum laid down in the above said judgment, it could be seen that Section 15 of CPC, which says that the suit shall ordinarily be instituted in the Courts of inferior grades, does not

prevent the superior courts from entertaining such a suit, since Section 16 of Chennai City Civil Court Act, 1892 saves the original jurisdiction of the High Court intact. Section 16 of Chennai City Civil Court Act reads as follows__

“16.Saving of original civil jurisdiction of High Court_ Nothing in this Act contained shall affect the original civil jurisdiction of the High Court:

Provided that_

(1)if any suit or other proceeding is instituted in the High Court which, in the opinion of the Judge who tries the same (whose opinion shall be final), ought to have been instituted in the City Court, no costs shall be allowed to a successful plaintiff and a successful defendant shall be allowed the costs at the maximum admissible under the Madras High Court Fees Rules for suits set down for final disposal;

(2)in any suit or other proceeding pending at any time in the High Court, any Judge of such Court may, at any stage thereof, make an order transferring the same to the City Court if in his opinion such suit or proceeding is within the jurisdiction of that Court and should be tried therein;

(3)in any suit or other proceeding so transferred, the Court-fees Act, 1870, (Central

Act VII of 1870), shall apply, credit being given for any fees levied in the High Court.”

From the above Judgment it could be seen that this Court can entertain the suit, irrespective of the value of the suit, other than the suits of a small causes nature of the value of Rs.100/- and below. A suit, for which the City Civil Court has inherent jurisdiction, is filed before the Original Side of this Court, only penalty that could be imposed on the said suit is disallowance of costs.

17. But such suit, for which the City Civil Court has inherent jurisdiction, can be entertained by this Court, only on special circumstances. However, the suit, for which the City Civil Court has inherent jurisdiction, if allowed to be filed before this Court, it would defeat the very object of the Amendment Act 19/2010. According to the learned counsel for the applicants, since the leave was granted and issues were framed and the receiver was appointed by this Court before transferring the suit to the City Civil Court, the same could be taken as a special circumstances to retransfer the suit to this Court. But, in my considered opinion, the reasons assigned by the learned counsel for the applicants could not be taken as a special circumstance to retransfer the suit to this Court. Unless it has been shown, if the suit is not transferred and tried on the Original Side of this Court, it

would cause prejudice to the parties, the retransfer can not be ordered. Further, in my considered opinion, if the reasons assigned by the learned counsel for the applicants is taken as a special circumstance to retransfer the suit from the City Civil Court to the Original Side of this Court, the same will result only in disastrous consequences. Hence, in my considered opinion, the present application is liable to be dismissed.

For the foregoing reasons, the application is dismissed.

17.02.2015

Internet : Yes / No

Index : Yes / No

R.SUBBIAH, J.,

SSV

Pre-delivery order

in

Transfer Application

No.5010 of 2014

in

O.S.No.1636 of 2012

17.02.2015