

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:2-7-2015

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Tr.CMP.Nos.544 and 545 of 2014

T.S.Balasubramanian ... Petitioner in both Tr.CMP.Nos.544 &
545/2014

Versus

1)T.D.Saravanan
2)S.Pushpavalli ... Respondents 1 & 2 in both
Tr.CMP.Nos.544 & 545/2014

3)P.Kabali
4)Pallavaram Mutual Benefit Fund
Limited, rep. by its Secretary
No.75, Shanmugam Road,
West Tambaram,
Chennai-600 045 ... Respondents 3 & 4 in
Tr.CMP.No.544 of 2015

Tr.CMP.No.544 of 2014

This petition is filed under Section 24 of C.P.C. to transfer the suit in O.S.No.311 of 2001 pending on the file of the District Munsif Court, Alandur to the file of the City Civil Court, Chennai.

Tr.CMP.No.545 of 2014

This petition is filed under Section 24 of C.P.C. to transfer the suit in O.S.No.156 of 2010 pending on the file of the Sub Court, Tambaram to the file of the City Civil Court, Chennai.

For Petitioner : Mr.R.Thiagarajan

For Respondents : Mr.T.Easwaradhas for RR 1 & 2

ORDER

The plaintiff in O.S.No. 311 of 2001 pending on the file of District Munsif, Alandur, is before this Court to transfer the said suit to the file of the City Civil Court, Chennai.

2. Heard the learned counsel appearing for the petitioner as well as Mr.T.Easwaradhas, learned counsel appearing for the respondents 1 and 2. Respondents 1 and 2 filed a suit for declaration in O.S.No.411 of 2007 and it was renumbered as O.S.No.156 of 2010. The said suit is pending on the file of the Sub Court, Tambaram.

3. It is seen with regard to the same property, two suits filed by the petitioner as well as respondents are pending. Since the suit filed by the respondents 1 and 2 in O.S.No.156 of 2010 is pending on the file of the Sub Court, Tambaram, it is appropriate to withdraw and transfer O.S.No.311 of 2001 filed by the petitioner from the file of District Munsif Court, Alandur to the file of Sub Court, Tambaram for joint trial and disposal within three months from the date of the receipt of a copy of the order.

4. The Trial Court is directed to dispose of both the suits within three months from the date of the receipt of a copy of the order and to file compliance report on or before 5.10.2015. Post the case for compliance on 5.10.2015. The learned counsel appearing for both the parties would submit that they would cooperate with the Trial Court for joint disposal of the matters. These petitions are disposed of. No costs. Consequently the connected M.P.Nos.1 and 1 of 2014 are closed.

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(Sd)

Assistant Registrar (CS-II)

True Copy

Sub Assistant Registrar.

To

1.District Munsif Court, Alandur.

2.The City Civil Court, Chennai.

3.The Sub Court,Tambaram.

Copy to

The Section Officer,
Judicial Department,
High Court, Madras-104
(Posting the matter for
compliance on 5.10.2015)

सत्यमेव जयते

WEB COPY

+ 1 cc to Mr.R.Thangarajan, Advocate SR 33037

+ 1 cc to Mr.T.Easwaradhas Advocate SR 33205 & 33204.

tej(co)
prk13/7

Tr.CMP.Nos.544 & 545 of 2014