

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2015

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Tr.C.M.P.No.745 of 2014 and  
Tr.C.M.P.Nos.47 and 69 of 2015  
and  
M.P.Nos.1 and 2 of 2014

Tr.C.M.P.No.745 of 2014

Mr.Liyakath Ali ... Petitioner

vs.

1.Mohammed Ali  
2.Hajira Begam  
3.Ayisha ... Respondents

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw O.S.No.172 of 2014 from the file of the Sub-Court, Namakkal and transfer the same to the file of the Principal District Judge, Salem for being tried along with O.S.No.39 of 2013 pending therein.

For Petitioner : Mr.V.Sekar  
For Respondents: Mr.T.Dhanyakumar

Tr.C.M.P.No.47 of 2015

1.Mohammed Ali  
2.Hajira Begam  
3.Ayisha ... Petitioners/Defendants

vs

K.Liyakath Ali ... Respondent/Plaintiffs

Prayer: Transfer Civil Miscellaneous Petition is filed under Sections 24 and 151 of the Code of Civil Procedure to withdraw O.S.No.172 of 2014 pending on the file of Sub-Court, Namakkal and transfer the same to the file of Principal District Court, Namakkal.

For Petitioners: Mr.T.Dhanyakumar  
For Respondent : Mr.V.Sekar

Tr.C.M.P.No.69 of 2015

1.Mohammed Ali  
2.Hajira Begam  
3.Ayisha

... Petitioners/Plaintiffs

vs

1.Liyakath Ali  
2.Jaibunnissa  
3.S.Rameeja

... Respondents/Defendants

Prayer: Transfer Civil Miscellaneous Petition is filed under Sections 24 and 151 of the Code of Civil Procedure to withdraw O.S.No.39 of 2013 pending on the file of Principal District Court, at Salem and transfer the same to the Principal District Court, Namakkal to try the same in its original number O.S.No.147 of 2012.

For Petitioners: Mr.T.Dhanyakumar  
For Respondents: Mr.V.Sekar

COMMON ORDER

Tr.C.M.P.No.745 of 2014 is filed to withdraw O.S.No.172 of 2014 from the file of the Sub-Court, Namakkal and transfer the same to the file of the Principal District Judge, Salem for being tried along with O.S.No.39 of 2013 pending therein.

2. Tr.C.M.P.No.47 of 2015 is filed to withdraw O.S.No.172 of 2014 pending on the file of Sub-Court, Namakkal and transfer the same to the file of Principal District Court, Namakkal.

3. Tr.C.M.P.No.69 of 2015 is filed to withdraw O.S.No.39 of 2013 pending on the file of Principal District Court, at Salem and transfer the same to the Principal District Court, Namakkal to try the same in its original number O.S.No.147 of 2012.

4. Heard the learned counsel for the petitioners and the learned counsel for the respondents.

5. It is an admitted fact that the property is situated in Namakkal District and the Principal District Court, Namakkal has got jurisdiction, whereas O.S.No.147 of 2012, the earliest proceeding is pending. All the Transfer Civil Miscellaneous Petitions are regarding the transfer of various proceedings pending before various forums, in respect of the same property, which is situated within the jurisdiction of Namakkal and which is also a subject matter of O.S.No.147 of 2012 on the file of Principal District Court, Namakkal. Parties are one and the same in all the proceedings.

6. In view of the above position, Tr.C.M.P.Nos.47 and 69 of 2015 are allowed and Tr.C.M.P.No.745 of 2014 is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-  
Deputy Registrar

//True Copy//

Sub Assistant Registrar

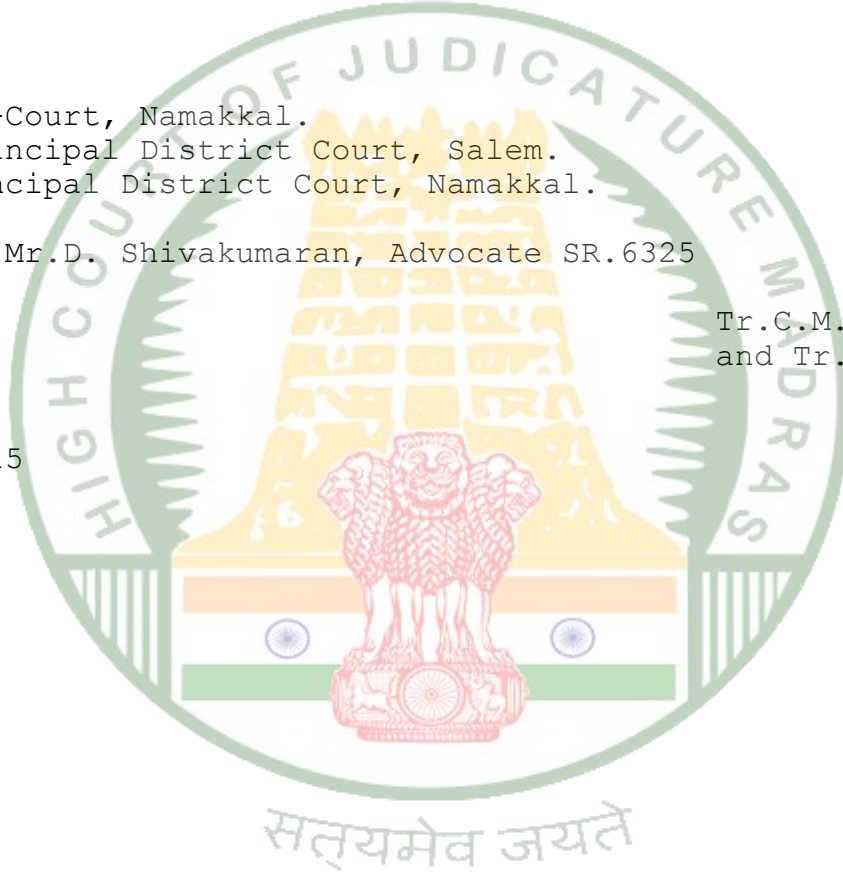
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To

- 1.The Sub-Court, Namakkal.
- 2.The Principal District Court, Salem.
- 3.The Principal District Court, Namakkal.

+ 1 cc to Mr.D. Shivakumaran, Advocate SR.6325

UG(CO)  
Eu 25.02.15

Tr.C.M.P.No.745 of 2014  
and Tr.C.M.P.Nos.47 and  
69 of 2015



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