



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:7-4-2015

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Tr.CMP.No.43 of 2015

&

M.P.No.1 of 2015

Sri Visweswaraswamy and Veeraraghava Perumal
Devasthanam, Tirupur,
Rep. by its Executive Officer,
C.Sivaramasuriyan,
Tiruppur Nagar and Taluk
Coimbatore District.

... Petitioner

Versus

- 1.The Settlement Tahsildar
Gobichettipalayam.
- 2.T.S.Savandappan
- 3.S.Ramaraj
- 4.Lebbai Sunnath Jamath
- 5.Viswakumar
- 6.Dhandapani
- 7.K.Mani
- 8.Minor Venkatachalam
- 9.Kasi Viswanathan
- 10.Rangaswamy
- 11.Rathanasabapathy
- 12.Sankaralingam
- 13.Arunachalam
- 14.Minor Balakrishnan
S/o.Senniappa Mudaliar
rep. by guardian mother Sivachalam
Near Dhanalakshmi Theatre,
Kongu Nagar Road,
Tirupur Town, Taluk & District.
- 15.Minor Rajendran,
S/o.Senniappa Mudaliar,
Rep. by guardian mother Sivachalam
Near Dhanalakshmi Theatre,
Kongu Nagar Road,
Tirupur Town, Taluk & District.
- 16.Chinnaswamy Gounder
- 17.Narayanaswamys Gounder



18.Ariya Vaisya Sangam, rep. by its President,
Eswaran Koil Street, Tiruppur
19.Palaniappa Mudaliar

... Respondents

Cause title accepted vide order
dated 20.01.2015 made in
M.P.No.1/2014 in Tr.CMP.No.53812/14

This petition is filed under Section 24 of C.P.C. to withdraw CMA.No.198 of 1990 pending on the file of Minor Inams Tribunal-cum-Principal Subordinate Judge, Coimbatore and transfer the same to Minor Inams Tribunal-cum-Principal Subordinate Judge, Tirupur for hearing and disposal.

For Petitioner : Mrs.R.Gowri
For Respondents : Mr.J.Franklin for R4.

ORDER

This petition has been filed to transfer CMA.No.198 of 1990 pending on the file of Minor Inams Tribunal-cum-Principal Subordinate Judge, Coimbatore to the file of Minor Inams Tribunal-cum-Principal Subordinate Judge, Tirupur as the property is situated within the jurisdiction of Tirupur.

2. Though Mrs.R.Gowri, learned counsel appearing for the petitioner and Mr.J.Franklin learned counsel appearing for the 4th respondent. Respondents 1 to 3, 5 to 9, 16,17 and 19 have refused to receive notice. Refusal to receive notice would amount to service of notice on them. Respondents 11,14 and 15 died. Respondents 10,13,12 and 18 were served and their names have been printed in the cause list.

3. As the jurisdiction of the matter comes within the jurisdiction Tirupur, the CMA.No.198 of 1990 is required to be transferred to the Principal Sub-Court, Tirupur only for the purpose of adjudication of the case on merits.

4. Therefore, without going into merits of the claim of the parties, C.M.A.No.198 of 1990 is transferred from the Minor Inams Tribunal-cum-Principal Subordinate Judge, Coimbatore to the file of Minor Inams Tribunal-cum-Principal Subordinate Judge, Tirupur as the property is situated within the jurisdiction of Tirupur.

5. The Principal Subordinate Judge, Tirupur is directed to issue notice to all the parties to adjudicate the issue and after



hearing the parties decide the matter on merits. Accordingly the Tr.C.M.P.No.43 of 2015 is ordered. No costs. Consequently the connected M.P.No.1 of 2015 is closed.

WEB COPY

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vk

To

- 1.Minor Inams Tribunal-cum-Principal Subordinate Judge, Tirupur.
- 2.Minor Inams Tribunal-cum-Principal Subordinate Judge, Coimbatore.

1 cc to Mr. Mrs.R.Gowri,Advocate, SR.No.19149

Tr.CMP.No.43 of 2015

ala(co)
pmk.8.5.2015