

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2015

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Tr.C.M.P. Nos.521 and 522 of 2015
and M.P.Nos.1 and 1 of 2015

1.M.Jegadeesan
2.Alangammal
3.Chakkaravarthy
4.Vijayalakshmi

.... Petitioners in
both Tr.C.M.Ps.

Vs.

1.Dhanalakshmi
2.Kanmani
3.Poongothai
4.Sellammal
5.J.Anbalagan

... Respondents in
both Tr.C.M.Ps.

6.Alagesan

.. 6th respondent in
Tr.C.M.P.No.522 of 2015

Prayer:- Petitions have been filed under Section 24 of C.P.C.,
praying to withdraw the regular Appeal in A.S.Nos.5 and 6 of
2015 on the file of the Principal District Court, Krishnagiri
and transfer the same to the file of the Additional District
Court, Krishnagiri for disposal.

For Petitioners : Mr.K.Govi Ganesan

For R1 to R5 : Mr.J.Hariharan for
Mr.V.Nicholas

For R6 : No appearance

C O M M O N O R D E R

The petitioners, who are the defendants 1, 4 to 6 in
A.S.Nos.5 and 6 of 2015, have filed this petition to transfer
the same pending on the file of the Principal District Court,
Krishnagiri, to the file of the Additional District Court,
Krishnagiri for disposal.

2.Learned counsel for the revision petitioners submits that A.S.Nos.5 and 6 of 2015 are pending on the file of the Principal District Court, Krishnagiri. The relative of the Presiding Officer, Principal District Court, Krishnagiri was working as junior under the counsel appearing on behalf of the respondents 1 to 3. So the revision petitioners apprehend that they may not get justice from the concerned Court. Therefore, they prayed that appeals may be transferred from the Principal District Court, Krishnagiri to the file of the Additional District Court, Krishnagiri.

3.Resisting the same, the learned counsel appearing on behalf of the respondents 1 to 5 filed a detailed counter and in para-3, it was stated that the orders were passed against the local counsel by the same Presiding Officer. Therefore, the allegations made against the Presiding Officer, Principal District Court, Krishnagiri, are false. Therefore, he prayed for dismissal of the petitions.

4.Considered the rival submissions made on both sides and perused the typed set of papers.

5.The averments made in the affidavit filed in support of the petitions shows that the revision petitioners apprehended that the Presiding Officer, Principal District Court, Krishnagiri, has shown some leniency to the counsel on record for the respondents 1 to 3, whose junior is the relative of the said Presiding Officer. Therefore, he sought for transfer.

6.Considering the aforestated circumstances of the case, the Presiding Officer, Principal District Court, Krishnagiri, is a native of Kanyakumari District. In my opinion, the revision petitioners have not assigned any valid reason for transfer the appeals. Therefore, the allegations made against the Presiding Officer in para-4 of the affidavit filed in support of the petitions are unsustainable.

7.Accordingly, the Transfer Civil Miscellaneous Petitions are dismissed. The Presiding Officer, Principal District Court, Krishnagiri, is directed to dispose of the appeals in A.S.Nos.5 and 6 of 2015 as early as possible. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

kj

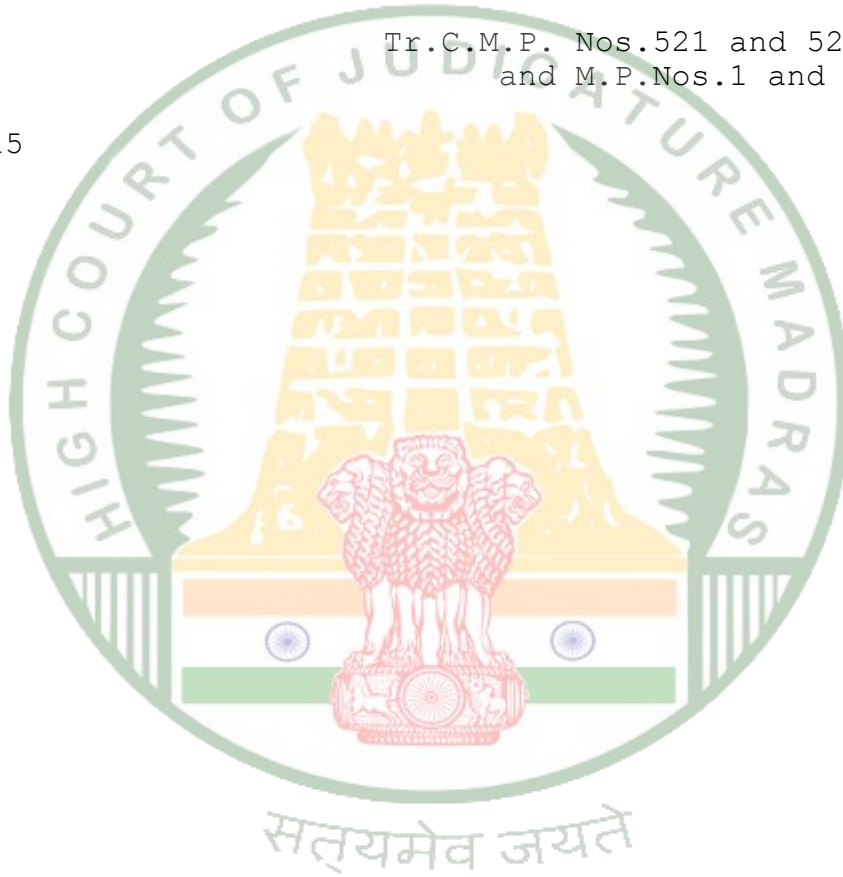
To

The Presiding Officer,
The Principal District Court,
Krishnagiri.

+ 1 cc to Mr.Goviganesan, Advocate SR.66961
+ 2 ccs to Mr.V. Nicholas, Advocate SR.67127

Tr.C.M.P. Nos.521 and 522 of 2015
and M.P.Nos.1 and 1 of 2015

SCD(CO)
EU 22.12.15



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