



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2015

CORAM :

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

TR CMP No.73 of 2015
and M.P.No.1 of 2015

Raja

... Petitioner / Plaintiff

vs.

1.Pankajam
2.V.Subramanian
3.S.Govindaraju Nallipririya
4.S.Govindaraj

.. Respondent / Defendants

Prayer:- Transfer Civil Miscellaneous Petition filed u/s 24 C.P.C. to withdraw the suit in O.S.No.39 of 2013 on the file of the District Munsif cum Judicial Magistrate, Valaingaiman, Thiruvavur District and transfer the same to Principal District Munsiff, Tiruvavur.

For Petitioner : M/s.G.Rajan
For Respondents : Mr.N.Aravamudan
for R1 to R4

O R D E R

After arguing the matter at length, when this court observed that heavy cost will be awarded against the petitioner, the learned counsel for the petitioner took time till today to get instruction.

2. When the matter is called today, the learned counsel for the petitioner seeks leave of this court to withdraw the petition. Since certain allegations are being made against the Judicial Officer and ultimately it is found to be false as there is nothing wrong in posting the matter on day-to-day basis, especially when the matter is posted in the list, that was exactly done by the learned Judicial Officer. Having filed a case, the petitioner should have been ready to adduce evidence when the matter is posted for trial.

3. Having failed to appear before the court on the adjourned date, the petitioner cannot hearsay that the learned Judge was hurrying up the matter. However, taking into consideration that the learned counsel for the petitioner wants to withdraw the petition, the same is permitted to be withdraw with a condition that the petitioner pays a sum of Rs.5,000/- as cost to the 'Chief Justice



Relief Fund' on or before 22.07.2015 failing which appropriate further orders will be passed.

4. Post the matter on 23.07.2015 for compliance.

WEB COPY

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

rgr

To

1.The District Munsif cum Judicial Magistrate,
Valaingaiman, Thiruvarur District.

2.The Section Officer, Accounts Section,
High Court, Madras-104.

1 cc to M/s.G.Rajan , Advocate Sr.No.32224

TR CMP No.73 of 2015

rsk(co)

pmk.16.7.2015