



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.01.2015

CORAM

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

C.R.P. (PD) No. 2167 of 2014

and

M.P. (MD) No. 1 of 2014

WEB COPY

S.R.Murugan .. Revision Petitioner/1st Respondent

Vs.

1. V.Thangavel .. 1st Respondent/Petitioner

2. Bonda Ramasamy .. 2nd Respondent/2nd Respondent

Prayer: Petition is filed under Article 227 of the Constitution of India to set aside the fair and decreetal order passed in Tr.O.P.No.180 of 2013 on the file of the Principal District Court, Dindigul District, dated 30.06.2014.

For Petitioner : Mr.A.Srinivasan
For Respondents : Mr.Anand Chandrasekar
for M/s Sarvabhauman
Associates
for R.1
: Notice dispensed with
for R.2

ORDER

Aggrieved over the order of allowing the transfer application in Tr.O.P.No.180 of 2013, filed by the first defendant, on the file of the Principal District Court, Dindigul District, the plaintiff has filed the above Civil Revision Petition.

2. Heard the learned Counsel for the petitioner and the learned Counsel for the first respondent.

3. The suit is filed by the plaintiff for declaration and injunction, originally before the Subordinate Court, Palani and thereafter it was transferred to the Subordinate Court, Kodaikanal. The first defendant in his affidavit stated that he is a heart patient, aged about 64 years and will not be able to travel Kodaikanal on each and every hearing, as his health condition could not permit for the same and hence, he has filed the transfer petition, which was allowed by the trial Court, despite opposition from the plaintiff's Counsel.



4. It is now agreed by both the Counsel that the suit may be transferred to any of the Subordinate Court, at Madurai for conduct of the trial.

5. Accordingly the suit is transferred to the Subordinate Court, Madurai. After the transfer of the suit, whichever is the Subordinate Court, the Subordinate Judge is directed to complete the trial on or before 30.04.2015.

6. With the above directions, the Civil Revision Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar

To

- 1.The Principal District Judge, Dindigul District.
- 2.The Sub Judge, Madurai

+1cc to Mr.S.Anand Chandrasekar, Advocate Sr.No. 1812

+1cc to Mr. A.Srinivasan, Advocate Sr.No. 1901

Copy to:

The Section Officer,

V.R. Section,

Madurai Bench of Madras High Court, Madurai

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AA/13.02.2015/2p- 6c/

C.R.P. (PD) No.2167 of 2014

and

M.P. (MD) No.1 of 2014

13.01.2015