



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2015

WEB COPY

CORAM

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Tr.C.M.P(MD)No.197 of 2014

and

M.P(MD)No.1 of 2014

N.Pitchai Naicker

... Petitioner

Vs.

1.S.V.Ingarsoll

2.S.V.Baskar

... Respondents

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw O.S.No.92 of 2013 on the file of the District Munsif, Keeranur, Pudukottai District and transfer the same to the file of Third Additional District Munsif, Tiruchirapalli.

For Petitioner : Mr.M.Ashok Kumar

For Respondents : Mr.J.Maria Roseline

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw O.S.No.92 of 2013 on the file of the District Munsif, Keeranur, Pudukottai District and transfer the same to the file of Third Additional District Munsif, Tiruchirapalli to be tried along with O.S.No.568 of 2013.

2.The petitioner has filed a suit in O.S.No.568 of 2013 before the III Additional District Munsif, Tiruchirapalli for permanent injunction in respect of two properties. The second item of property is at Pudukottai and other property situated at Tiruchirapalli.

3.The first respondent filed O.S.No.92 of 2013 before the District Munsif Keeranur for permanent injunction in respect of the property situated at Pudukottai. The respondents are residing at Tiruchirappalli.

4.Heard the learned counsel appearing for the petitioner and for the respondents. The learned counsel for the respondents has no objection for allowing the petition.



5. The issue involved in both the suits are one and the same. In order to avoid conflicting of decisions and interest of justice, the petitioner is prayed for transfer of the suit in O.S.No.92 of 2013 on the file of the District Munsif, Keeranur, Pudukottai District to the file of the III Additional District Munsif, Tiruchirapalli to be tried along with O.S.No.568 of 2013.

6. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and O.S.No.92 of 2013 on the file of the District Munsif, Keeranur, Pudukottai District is hereby withdrawn and transferred to the file of the III Additional District Munsif, Tiruchirapalli to be tried along with O.S.No.568 of 2013, if the same is not yet disposed of. The learned District Munsif, Keeranur is directed to send the case bundles to the Court of the III Additional District Munsif, Tiruchirapalli, immediately. The Registry is also directed to send back the papers that are pending before the Registry. No costs. Consequently, M.P(MD)No.1 of 2014 is closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1.The District Munsif, Keeranur.

2.The III Additional District Munsif,
Tiruchirapalli.

+1cc to Mr.M.Ashok Kumar, Advocate Sr.No.21660
+1cc to Mr.J.Maria Roseline, Advocate Sr.No.21012
am
AA/08.05.2015/2p -5c/

Tr.C.M.P. (MD)No.197 of 2014
22.04.2015