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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.01.2015

CORAM :

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

TR.CMP(MD)Nos.471 and 472 of 2014

and

Connected Miscellaneous Petitions

1)V.Ramasamy

2)R.Sivakumar

... Petitioners in both petitions

Vs.

1)M/s.Karur Nanaban Financiers,
represented by its Managing Partner,
Mr.P.Murugesan
S/o.K.Palaniappan
Office at No.197/127, first floor,
Jawahar Bazaar, Karur.

2)P.Murugesan

... Respondents in both petitions

Petitions filed under Section 24 of the Civil Procedure Code, praying this court to withdraw and transfer of the case in O.S.Nos.2 and 3 of 2013 on the file of the District Court at Karur to District Court, Dindigul, along with O.S.No.269 of 2012, on the file of the Sub Court, Palani.

For Petitioners (in both petitions): Mr.S.Karthik

C O M M O N O R D E R

The petitioners in these Transfer Civil Miscellaneous Petitions are defendants in O.S.Nos.2 and 3 of 2013 on the file of the District Court at Karur and defendants in O.S.No.269 of 2012, on the file of the Sub Court, Palani. The present Transfer Civil Miscellaneous Petitions have been filed seeking transfer of O.S.Nos.2 and 3 of 2013 from the file of the District Court at Karur to the file of the District Court, Dindigul, to be tried along with O.S.No.269 of 2012 that is pending at the Sub Court, Palani.

2.Learned counsel for the petitioners submitted that the parties in both the suits are same and hence, it would be convenient for both sides, if the matter is tried jointly at one place.

3.I have perused the plaint in O.S.Nos.2 and 3 of 2013 filed by M/s.Karur Nanaban Credits, represented by its Managing Partner while O.S.No.269 of 2012 is filed by Mr.P.Murugesan.

4.Learned counsel for the petitioners submitted that Mr.P.Murugesan is the Managing Partner of M/s.Karur Nanaban Credits. In my view, that may not be a relevant ground for transfer, since the individual is different from the legal entity. Hence, no case is made out for transfer. Accordingly, both the Transfer Civil Miscellaneous Petitions



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are dismissed. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(Writs)

/True copy/

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Sub Assistant Registrar

To

1 The District Judge, Karur.

2.The District Judge, Dindigul.

+1CC to M/s.S.Karthik, Advocate in SR.4284

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