



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2015

CORAM

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Tr.C.M.P(MD)No.139 of 2015 and
M.P(MD)No.1 of 2015

1. R. Rathna kumar
2.Jothimuthu Lakshmi

... Petitioners/Defendants

Vs.

Winever Energy Pvt. Ltd.,
rep. By its Director,
Mrs. B. Monica

... Respondent/Planitiff.

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw the case in O.S.No.252 of 2014 on the file of learned District Munsif, Valliyoor and transfer the same to any other competent Court.

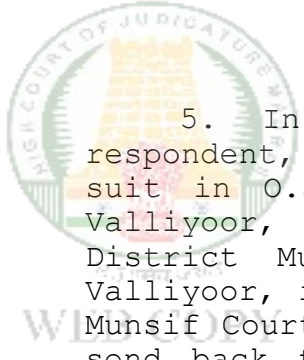
For Petitioners : Mr. AL. Kannan
For Respondent : Mr. T. Selvam

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw and transfer O.S.No.252 of 2014, on the file of learned District Munsif, Valliyoor, to any other competent Court.

2. The petitioners are the defendants in O.S.No.252 of 2014, on the file of learned District Munsif, Valliyoor. The respondent filed suit for permanent injunction and also filed I.A.No.1597 of 2014, for interim injunction. Notice was ordered to the petitioners. The petitioners entered appearance through counsel and filed counter and written statement. When the Interlocutory Application and suit were posted for hearing, the respondent and his counsel were absent. After number of adjournments, the suit was posted to 22.06.2015, for framing issues. The respondent has openly stated that they threw the petitioners out of the property once they get an order of interim injunction. The learned Judge was insisting of hearing and disposal of Interlocutory Application, for interim injunction only. Therefore, the petitioners have come out with the present petition to transfer O.S.No.252 of 2014, from the file of learned District Munsif, Valliyoor to any other competent Court.

3. The learned counsel appearing for the respondent has no objection to transfer the suit in O.S.No.252 of 2014, from the file of learned District Munsif, Valliyoor to Munsif Court, Thirunelveli, and he has also made an endorsement to that effect. .



5. In view of the no objection made by the learned counsel for the respondent, this Transfer Civil Miscellaneous Petition is allowed and the suit in O.S.No.252 of 2014, on the file of learned District Munsif, Valliyoor, is hereby withdrawn and transferred to the file of Principal District Munsif Court, Thirunelveli. The learned District Munsif, Valliyoor, is directed to send the case bundles to the Principal District Munsif Court, Thirunelveli, immediately. The Registry is also directed to send back the papers that are pending before the Registry. No costs. Consequently, connected Miscellaneous Petition is closed.

Trp

Sd/-
ASSISTANT REGISTRAR(RTI)

/True Copy/

SUB ASSISTANT REGISTRAR

To

1. The District Munsif, Valliyoor,
2. The Princiapl District Munsif Court, Thirunelveli

Copy to: The Section Officer, V.R. Section, Madurai Bench of
Madras High court, Madurai.

1CC to Mr.V.R.Shanmuganathan, Advocate SR.No.35979

1CC to Mr. T.Selvan, Advocate, SR.No.35983

Tr.C.M.P(MD)No.139 of 2015 and
M.P(MD)No.1 of 2015

03.07.2015

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AM/11.08.2015