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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.02.2015

CORAM :

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

TR.CMP (MD) No.44 of 2015 and M.P (MD) No.1 of 2015

B.Balavenkateshan

... Petitioner

Vs.

A.Murugesan

... Respondent

Petition filed under Section 24 of the Civil Procedure Code, to withdraw and transfer of the case in O.S.No.123 of 2013 on the file of the District Munsif Court at Dindigul District to Madurai District more particularly District Munsif Court at Madurai forthwith.

For Petitioner : Mr.A.D.Ganesamoorthi

O R D E R

The Transfer Civil Miscellaneous Petition has been filed by the petitioner seeking transfer of O.S.No.123 of 2013 from the file of the District Munsif Court at Dindigul District to the file of the District Munsif Court at Madurai.

2.The petitioner is the defendant in O.S.No.123 of 2013 on the file of the District Munsif Court at Dindigul. The suit was filed by the respondent/landlord for eviction and recovery of possession. Already, the petitioner herein filed O.S.No.62 of 2008 against one Muthukrishnan/previous landlord, before the same court for permanent injunction restraining Muthukrishnan not to evict him, without due process of law and the same was decreed. In my view, the same cannot be the reason for transfer, as the respondent has filed O.S.No.123 of 2013 in the manner known to law. Hence, the Transfer Civil Miscellaneous Petition is dismissed. No costs. M.P (MD) No.1 of 2015 is closed.

Sd/

Assistant Registrar

/True copy/

sub Assistant Registrar(c.s)

To

1. The District Munsif, Dindigul.

2. The District Munsif, Madurai

TS/24.02.2015/1P-3C

TR.CMP (MD) No.44 of 2015
and M.P (MD) No.1 of 2015