



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2015

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

TR.CMP (MD) No.71 of 2015

K.Balamurugan

... Petitioner

Vs.

1) Santha Devi

2) Saratha Devi

3) Shyamala Devi

4) Dr.Sathya Devi

... Respondents

Petition filed under Section 24 of the Civil Procedure Code, to withdraw and transfer the Probate Original Petition No.11 of 2013 pending on the file of the I Additional District Judge, Tirunelveli, to Principal District Judge Court, Tirunelveli.

For Petitioner : Mr.M.Vivekanandan

ORDER

The petitioner has sought for transfer of Probate Original Petition No.11 of 2013 from the file of the I Additional District Judge, Tirunelveli, to Principal District Judge Court, Tirunelveli, on the ground that due to vacancy in the Court of I Additional District Judge, Tirunelveli, there is no progress in the proceedings in Probate Original Petition No.11 of 2013.

2. In my view, the said ground is not sufficient to seek transfer. The vacancy caused would be filled up in the normal course and in the meantime, the in-charge officer could deal with the matter in the manner known to law. Hence, I am not inclined to allow this petition. Accordingly, the Transfer Civil Miscellaneous Petition is dismissed. No costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub-Assistant Registrar

To

The I Additional District Judge, Tirunelveli.

+1cc to Mr.M.Vivekanandan, Advocate, in SR. No.10196/15.