

A.Nos.675 & 676 of 2014
in
C.S.No.1175 of 2008

M.SUNDAR.J.,

Mr.S. Ramesh, learned counsel is present on behalf of the applicant in the transfer application No.675 of 2014. Transfer application No.676 of 2014 is for stay in the interregnum. Learned counsel has taken me through the plaint in C.S.No.1175 of 2008 in this Court and O.S.No.4091 of 2013 on the file of the III Additional Judge, City Civil Court, Chennai. Learned counsel has also taken me through the prayers in the respective suits as well as the schedule of properties. It is seen that most of the parties are the same. The subject matter pertains to the same Schedule of properties. The prayers are such that it can lead to possible conflicting verdicts if both the suits are allowed to proceed in different fora. Therefore, it is necessary in the interest of justice that both the suits are tried together.

2. This application under Clause 13 of the Letters Patent to withdraw the suit from the City Civil Court and transfer the same to the file of this Court to be tried along with the instant suit on the file of this Court, is allowed. In view of the transfer application being

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allowed nothing survives in Appl.No.676 of 2014 and therefore, the same is closed.

3. Registry of this Court is directed to communicate this order to the Registrar of the City Civil Court within a fortnight from today. Registrar, City Civil Court, shall transmit all records pertaining to O.S.No.4091 of 2013 now pending on the file of the III Additional City Civil Court, to this Court within a fortnight from the date of receipt of this order by the Registrar.

4. The transfer application is allowed.

16.11.2016

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