IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2016

CORAM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

Tr. CMP.No.100 of 2015
and
M.P.No.1 of 2015

V.S.Selvaraj ... Petitioner/Plaintiff

Vs.

V.Subramanian (Deceased)
1. S.Gunesundari
2. S.Vasudevan ... Respondents/Defendants

PRAYER: Petition filed under Section 24 of the Civil Procedure Code to pass an order to withdraw the suit proceedings in O.S.No.137 of 2012 pending on the file of learned Additional District Judge No.4, Ponneri and to transfer the said suit to a competent City Civil Court, Chennai to be tried along with O.S.No.4495 of 2014 pending on the file of learned XVIII, Assistant City Civil Court, Chennai.

For Petitioner : Mr.B.Srinivasan

For 1st Respondent : No appearance

For 2nd Respondent : Mr.V.K.Rajagopalan

O R D E R

The petitioner initiated a suit in O.S.No.137 of 2012 before the Additional District Court, Ponneri praying for a decree of partition.

2. The 2nd respondent and his son on the other hand filed a suit in O.S.No.4495 of 2014 before the learned XVIII Assistant Judge, City Civil Court, Chennai praying for a decree of partition. The suits are pending before the respective courts.

3. The petitioner has come up with this petition to transfer the proceedings in O.S.No.137 of 2012 to a Court at Chennai for disposal along with O.S.No.4495 of 2014.

4. The learned counsel for the 2nd respondent on instructions submitted that the second respondent has no

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objection in transferring the proceedings to a Court at Chennai.

5. In view of the consensus arrived at among the parties and taking into account the pendency of the connected suit in O.S.No.4495 of 2014 before the learned XVIII Assistant City Civil Court, Chennai, the proceedings in O.S.No.137 of 2012 is withdrawn from the file of the learned Additional District Judge, IV, Ponneri and is transferred to the file of learned 2nd Additional Judge, City Civil Court, Chennai. The suit in O.S.No.4495 of 2014 is also withdrawn from the concerned Court and is transferred to the file of learned 2nd Additional Judge, City Civil Court, Chennai for disposal.

The transfer application is allowed as indicated above. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ssd

To

1. The Additional District Judge No.4,
   Ponneri.

2. The XVIII Assistant Judge,
   City Civil Court,
   Chennai.

3. The 2nd Additional Judge,
   City civil Court, Chennai.

+1cc to Mr.B.Srinivasan, Advocate, S.R.No.62230
+1cc to Mr.V.K.Rajagopalan, Advocate, S.R.No.62091

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