

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.11.2016

CORAM

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

Application Nos.1448 and 1449 of 2013

in C.S.No.6 of 2013

1. Sujatha Elizabeth Prasad
2. Susan Philip
3. Annamma Chinnan

...Applicants

Vs

1. Shermila Ann Sherry
2. Premila Shetty
3. P.Suresh Kumar
4. P.Kushalchand
- 5.J.Kosher Jain
- 6.J.Rajesh Kumar Jain
- 7.The Sub-Registrar

Purasawalkam, Chennai

..Respondents

Application filed praying to withdraw and transfer the suits O.S.No.9315 of 2011 and O.S.No.2931 of 2012 on the file of the XVII Assistant City Civil Court, Chennai to be heard and tried along with C.S.No.6 of 2013 pending before this Court.

For Applicants : Mr.Mukundan and Neelakantan

For Defendants 1 and 2: Mr.R.Parthasarathy

For Defendants 3 to 6 : Ms.Vinupriya for Mr.S.Rameshkumar

ORDER

The applicants, who are the plaintiffs, have filed the suit for declaration that the settlement deed dated 15.08.2008 and the sale deed dated 13.06.2011 are not binding on them and for partition and separate possession of 'B' schedule property. This transfer Application is filed to withdraw the suits in O.S.No.9315 of 2011 and O.S.No.2931 of 2012 on the file of the XVII Assistant City Civil Court, Chennai to be tried along with the above said suit in C.S.No.6 of 2013.

2. It is stated in the affidavit that the parties in all the suits and the property in dispute are one and the same. O.S.No.2931 of 2012 has been filed challenging the settlement deed executed by the plaintiffs herein and the other suit in O.S.No.9315 of 2011 is filed for an injunction. All the suits relate to the same properties.

3. The learned counsel appearing for D1 to D6 have got no objection for transferring these suits to the file of this Court

4. Accordingly, the transfer application in **A.No.1448 of 2013** is **allowed** and O.S.No.9315 of 2011 and O.S.No.2931 of 2012, now pending on the file of the XVII Assistant City Civil Court, Chennai, is withdrawn and transferred to this Court, to be tried along with C.S.No.6 of 2013 pending before this Court. In view of the transfer application being ordered, **Application No.1449 of 2016** is closed.

21.11.2016

srn

PUSHPA SATHYANARAYANA.J

srn

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