

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:29.02.2016

CORAM

THE HONOURABLE Mr. JUSTICE P.R.SHIVAKUMAR

Tr.C.M.P.Nos.918 to 922 of 2015
and Tr.C.M.P.Nos.927 to 934 of 2015
and M.P.Nos.1 of 2015
and C.M.P.Nos.2284 to 2289 of 2015

Kesava Krishnan ... Petitioner in Tr.C.M.P.No.918
of 2015
D.Rajendran ... Petitioner in Tr.C.M.P.No.919
of 2015
R.Sivakumar ... Petitioner in Tr.C.M.P.No.920
of 2015
L.Indrajith ... Petitioner in Tr.C.M.P.No.921
of 2015
L.Siddharthan ... Petitioner in Tr.C.M.P.No.922
of 2015
V.Samuvel Raj ... Petitioner in Tr.C.M.P.No.927
of 2015
Tirupathy ... Petitioner in Tr.C.M.P.No.928
of 2015
S.Santheep ... Petitioner in Tr.C.M.P.No.929
of 2015
S.Angayarkanni ... Petitioner in Tr.C.M.P.No.930
of 2015
I.Punithavathi ... Petitioner in Tr.C.M.P.No.931
of 2015
S.Muralitharan ... Petitioner in Tr.C.M.P.No.932
of 2015
S.Karthik ... Petitioner in Tr.C.M.P.No.933
of 2015
I.Satishkumar ... Petitioner in Tr.C.M.P.No.934
of 2015

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Vs

L.Rajendran ... Respondent in all Tr.C.M.Ps

Prayer in all Transfer Civil Miscellaneous Petitions

Transfer Civil Miscellaneous Revisions Petition filed under
Section 24 of the Civil Procedure Code to withdraw the above
R.C.O.P.Nos.1053,1055, 1058, 1512, 1513, 1056, 1057, 1059 of

2013 and R.C.O.P.Nos.139,140,141,142 and 143 of 2015 respectively now pending on the file of the XVI Small Causes Court at Chennai and transfer the same to any other Court of Small Causes Court at Chennai.

For Petitioner
in all Tr.C.M.Ps : Mr.M.Aravind Subramaniam

For Respondent
in all Tr.C.M.Ps : Mr.S.Muthudurai

O R D E R

The learned counsel for the respondent submits that these transfer Civil Miscellaneous Petitions filed under Section 24 of the code of Civil Procedure are not maintainable, in view of the existence of a specific rule framed under Tamilnadu Buildings (Lease and Rent Control) Act, 1960. The learned counsel refers to Rule 14 of Tamilnadu Buildings (Lease and Rent Control) Rules, 1974, which says that a case from one Rent Controller can be transferred to another Rent Controller by the Chief Judge of the Court of Small Causes at Chennai so far as the cases arising within the jurisdiction of the said Court is concerned and so far as the cases arising in the other areas are concerned, the power of transfer is given to the appellate Authority. As it has been pointed out by the learned counsel for the respondent that the presence of such a Rule, makes the present Transfer Civil Miscellaneous Petitions not maintainable, the learned counsel for the petitioners submits that the petitions having been filed in this Court, namely a wrong Court, may be dismissed as withdrawn with liberty to present similar petitions before the Chief Judge of Small Causes Court, Chennai. Endorsements to that effect have been made.

2. Endorsements are recorded and all the transfer Civil Miscellaneous Petitions are dismissed as withdrawn, with liberty to file similar petitions before the Chief Judge, Small Causes Court, Chennai. No costs. Consequently, connected miscellaneous petition are closed.

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Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

srn

To

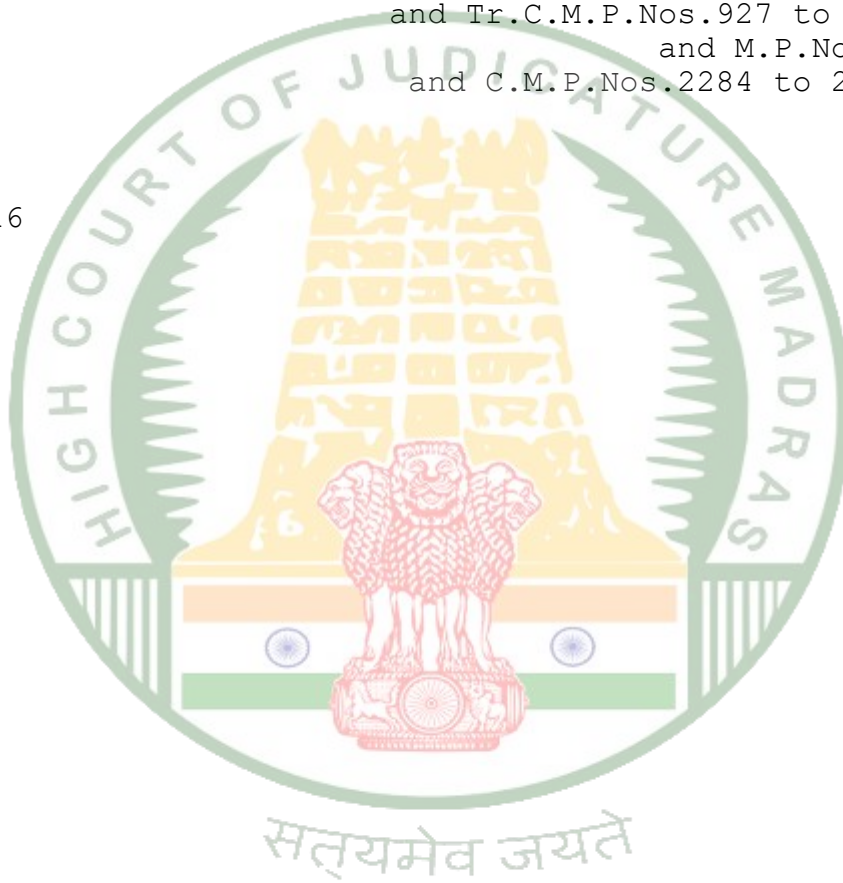
1. The XVI Small Causes Court at Chennai

2. The Chief Judge, Small Causes Court, Chennai.

+ 10cc to Mr.M.Aravind Subramaniam, Advocate SR.13422, 13421,
13423, 13424, 13425, 13427, 13428, 13430, 13431, 13432

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AD(CO)
Eu 16.03.16



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