

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

Transfer CMP No.659 of 2011 and
MP.No.1 of 2011

M/s.Anglo French Textiles
(A unit of Puducherry Textiles Corporation)
Cuddalore Road, Mudaliarpeta,
Puducherry. ...Petitioner

versus

1.M/s.Sivaram Agencies
Rep. by Partner Mr.K.Srikantan
Door No.80, Godown Street,
First Floor, Chennai - 600 001.

2.T.S.Rajalingam ...Respondents

PRAYER: Tr.C.M.P. filed under section 24 of C.P.C., to
withdraw the suit in O.S.No.2192 of 2008 on the file of VIII
Assistant Judge, City Civil Court, Chennai and transfer the
same to the file of Principal District Judge, Puducherry.

For Petitioner : Ms.N.Mala

For Respondent : No appearance

सत्यमेव जयते
O R D E R

This transfer petition is filed to withdraw the
proceedings in O.S.No.2192 of 2008 from the file of VIII
Assistant Judge, City Civil Court, Chennai and transfer the
same to the file of Principal District Judge, Puducherry for
disposal on merits.

2. Heard the learned counsel for the petitioner. None
appears on behalf of the respondent, inspite of printing their
name in the cause list.

3. The first respondent instituted a suit against the
petitioner before the VIII Assistant Judge, City Civil Court,
Chennai, claiming a sum of Rs.8,78,912.62. The suit was
contested by the petitioner by filing written statement.

Thereafter, the petitioner filed a suit against the

respondents before the Principal District Court, Puducherry in O.S.No.67 of 2011 claiming a sum of Rs.1,37,11,985.65 with interest.

4. Both the suits are in relation to the supplies made to the first respondent. The substantial suit filed by the petitioner is pending before the Court at Puducherry. The transaction essentially took place at Puducherry and as such, the Court at Puducherry is also having jurisdiction to try the matter. I am therefore of the view that this transfer petition deserves to be allowed.

5. In the result, the suit in O.S.No.2192 of 2008 is withdrawn from the file of VIII Assistant Judge, City Civil Court, Chennai and is transferred to the file of Principal District Court, Puducherry to be tried along with the suit in O.S.No.67 of 2011, on merits.

6. The Transfer CMP is allowed as indicated above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

svki

To

- 1.The VIII Assistant Judge, City Civil Court, Chennai
- 2.The Principal District Judge, Puducherry

Transfer CMP No.659 of 2011

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kra 17.10.2016

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