

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **26.09.2016**

CORAM:

THE HONOURABLE MR.**JUSTICE K.K.SASIDHARAN**

C.R.P.(P.D.) No.504 of 2016 and
CMP.No.2595 of 2016

1. B.Hemalatha
2. Minor B.Gowtham
3. Minor B.Koushik

Minors rep. by their Mother/Guardian,
Smt.B.Hemalatha

...Petitioners

versus

R.Vigneswari

...Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 30.11.2015 passed in TR.O.P.No.78 of 2015 on the file of the Principal District Judge, Coimbatore.

For Petitioners : Mr.V.Venkatasamy

For Respondent : Ms.P.T.Asha for
M/s. Sarvabhauman Associates

ORDER

The petitioner filed proceedings in Tr.O.P.No.78 of 2015 before the Principal District Judge, Coimbatore, praying for an order to transfer the suit in O.S.No.578 of 2012 from the file of II Additional

Sub-Court, Coimbatore to V Additional District Court, Coimbatore for the purpose of trial along with O.S.No.550 of 2012. The application was dismissed. Feeling aggrieved, the petitioner has come up with this transfer petition.

2. The learned counsel for the respondent fairly submitted that it would be in the interest of both the parties to have a simultaneous trial of both the suits before the V Additional District Court at Coimbatore.

3. The transfer petition was dismissed by the learned Trial Judge on the ground that both the matters are not interconnected and as such, there is no need for transfer. Now that the respondent agreed for transferring the proceedings to the Court, which is trying the suit in O.S.No.550 of 2012, this civil revision petition deserves to be allowed.

4. In the result, the order dated 30.11.2015 in Tr.O.P.No.78 of 2015 is set aside. The suit in O.S.No.578 of 2012 is withdrawn from the file of II Additional Sub-Court, Coimbatore, and is transferred to the file of V Additional District Court, Coimbatore, for simultaneous trial along with O.S.No.550 of 2012.

5. The Civil Revision Petition is allowed as indicated above. No costs. Consequently, connected miscellaneous petition is closed.

26.09.2016

Index:Yes/No
Internet:Yes/No
svki

To

The Principal District Judge, Coimbatore.

K.K.SASIDHARAN, J.

(svki)

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