

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

Transfer CMP No.237 of 2013 and
M.P.No.1 of 2013

1.Kaliammal
2.Vinitha
3.Geetha
4.Vinoth ...Petitioners/Petitioner
versus

1.Suseela
2.Vadivel
3.District Superintendent of Police,
Villupuram District. ...Respondents/Respondent

PRAYER: Tr.C.M.P. filed under section 24 of C.P.C., to withdraw the Succession suit O.P.No.8 of 2011 on the file of Sub-Court, Athur, Salem and transfer the same to be tried along with Succession O.P.No.84 of 2011 on the file of Sub-Court, Kallakurichi, Villupuram.

For Petitioners : Ms.M.Poornima for
M/s. Sarvabhauman Associates
For Respondents : No appearance

O R D E R

Heard the learned counsel for the petitioners. None appears for the respondents.

2. The petitioners filed O.P.No.84 of 2011 before the Sub-Court at Kallakurichi. The respondents are parties in O.P.No.84 of 2011. Subsequently, the respondents filed O.P.No.8 of 2011 before the Sub-Court, Athur. The petitioners are parties in the said Original Petition.

3. The petitioners have come up with this transfer petition to transfer the proceedings in O.P.No.8 of 2011 to the Court at Kallakurichi.

4. There are two proceedings now pending before two different courts. In both the proceedings, the request is to issue a Succession Certificate consequent to the death of Katturja on 04.05.2011. He was a Special Sub-Inspector of Police. According to the petitioners, they are entitled to

the amount due to the estate of the deceased. Respondents 1 and 2 have also made a claim that they are the legal representatives and as such, they are entitled to a Succession Certificate. It would be in the interest of both the parties to transfer the matter to a particular Court for disposal on merits.

5. The proceedings in O.P.No.8 of 2011 is withdrawn from the file of Sub-Court, Athur, Salem and is transferred to the file of Sub-Court, Kallakurichi, for disposal along with O.P.No.84 of 2011.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

svki

To

- 1.The Sub-Court, Athur, Salem
- 2.The Sub-Court, Kallakurichi.

+ 1 cc to M/s. Sarvabhuman Associates, Advocate SR.51995

Transfer CMP No.237 of 2013

CNR(CO)
Eu 05.10.16

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