

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Transfer Civil Miscellaneous Petition No.245 of 2016

P.O.Chandy
S/o.P.Toommen

... Petitioner

vs

Victor Samuel,
S/o.K.Jasurathinam

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1906, praying to withdraw the suit in O.S.No.3587 of 2015 on the file of III Assistant City Civil Court, Chennai and transfer the same the file of District Munsif Court, Thiruvotriyur.

For Petitioner : Mr.G.Appavu
For Respondent : No appearance

O R D E R

Even though the respondent has been served and the name of the respondent appears in the cause list, the respondent has not chosen to appear before this Court either in person or through a pleader. Hence, the matter is decided on merits.

2. Petitioner has filed the present petition seeking transfer of the suit in O.S.No.3587 of 2015 pending on the file of III Assistant City Civil Court, Chennai, to the file of District Munsif Court, Thiruvotriyur.

3. Learned counsel for petitioner/defendant submits that the respondent/plaintiff has filed the suit in O.S.No.3587 of 2015 seeking bare injunction. Petitioner is the owner of the suit property. The property is situated at Madhavaram and hence, the proper jurisdictional Court is the District Munsif Court, Thiruvotriyur. Submitting as above, learned counsel prays for transfer.

4. Considering the submissions made, this Court directs transfer of O.S.No.3587 of 2015 pending on the file of III Assistant City Civil Court, Chennai, to the file of District Munsif Court, Thiruvotriyur.

The Transfer Civil Miscellaneous Petition, accordingly, is ordered. No costs.

Sd/-
Asst.Registrar (CS IV)

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To Sub Asst. Registrar

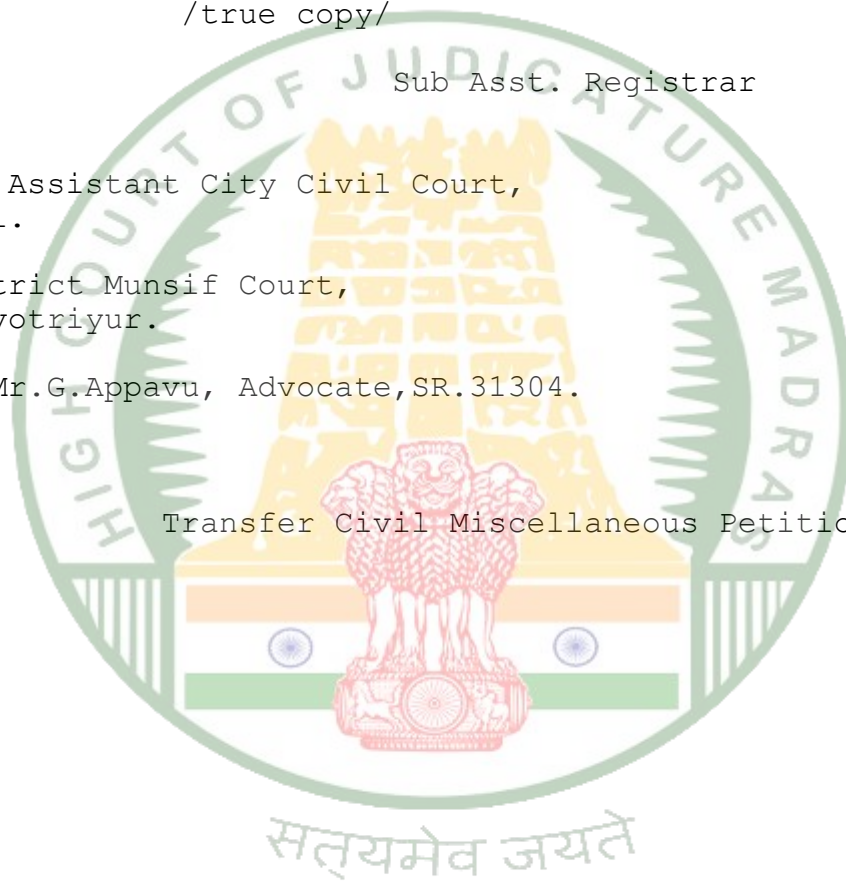
1.The III Assistant City Civil Court,
Chennai.

2.The District Munsif Court,
Thiruvotriyur.

+1 cc to Mr.G.Appavu, Advocate,SR.31304.

rsi(co)
krd 20/7

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