

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2016

CORAM

THE HONOURABLE Mr. JUSTICE P.R.SHIVAKUMAR

Tr.C.M.P.No.25 of 2016
and
C.M.P.No.366 of 2016

Annammal
W/o.Arunachalam,
Old No.82, New no.67,
Bucchammal Street,
New Washermenpet,
Chennai 600 081 ... Petitioner

Vs

D.Ganeshmoorthy
S/o.Duraisamy Mudaliar,
No.722/558, Thiruvottiyur High Road,
Old Washermenpet,
Chennai 600 021 ... Respondent

Petition filed under Section 24 of the Civil Procedure Code to withdraw the R.C.O.P.No.758 of 2013 pending on the file of the XV Small Causes Court, Chennai and transfer the above RCOP to XII Assistant Judge, City Civil Court, Chennai to be tried along with O.S.No.2056 of 2015.

For Petitioner : Mr.R.Raman Laal

O R D E R

Learned counsel for the petitioner submits that the petitioner has been advised to withdraw the Transfer Civil Miscellaneous Petition with liberty to challenge the order passed in a petition filed before the Rent Controller for deciding the question of maintainability of the R.C.O.P in the light of the defence plea that there is no tenancy in respect of a building. An endorsement to that effect has been made.

2. Endorsement is recorded. The Transfer Civil Miscellaneous Petition is dismissed as withdrawn with liberty to challenge the order passed in the petition seeking a decision regarding maintainability of the R.C.O.P. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

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Sub Assistant Registrar

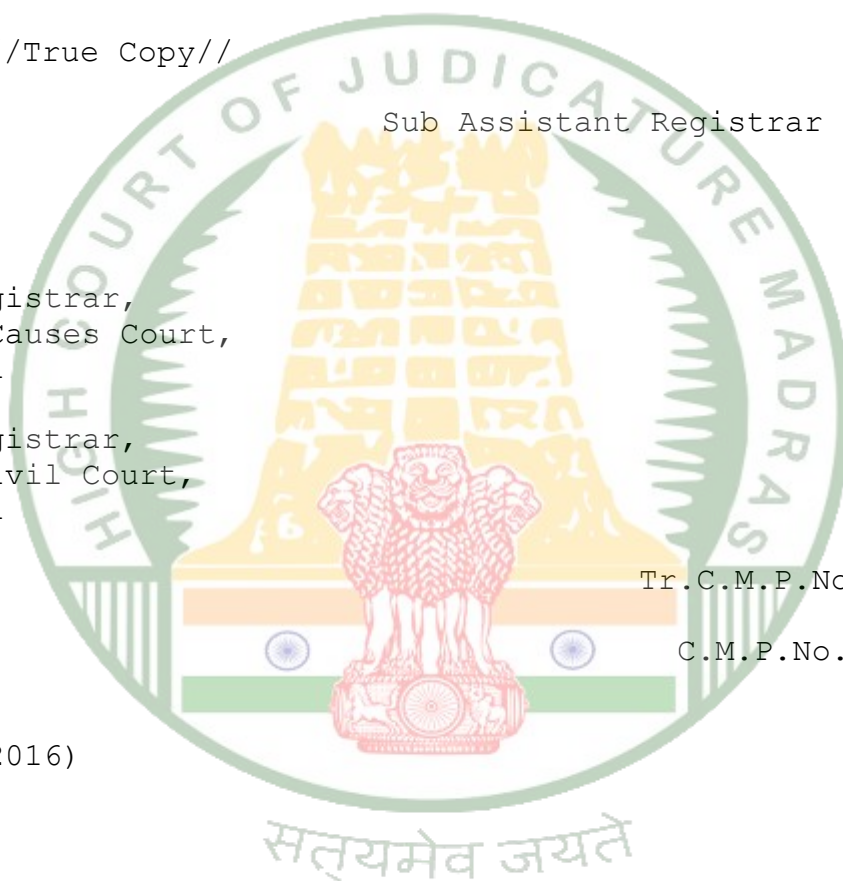
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To

1. The Registrar,
Small Causes Court,
Chennai
2. The Registrar,
City Civil Court,
Chennai

Tr.C.M.P.No.25 of 2016
and
C.M.P.No.366 of 2016

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