

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2016

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Tr.CMP.No.346 of 2016
and CMP No.9355 of 2016

1.A.Thangavelu
2.A.Ganesan ... Petitioners/Appellants 1&2
Vs.
1.A.Ramasamy
2.A.Duraisamy
3.P.Parvatham
4.Sole Arbitrator S.Shanmugam
(District Judge - Retd.)
5.M/s.A.P.Kalyana Mandapam,
Rep by its Partner,
S.F.No.732/2, ADC, Goldwins,
Avinashi Road, Aerodrome Post,
Coimbatore - 641 014. ... Respondents/3rd Appellants

Prayer: Transfer Petition filed under Section 24 of Civil Procedure Code, praying to withdraw the case in Ar.O.P.No.436 of 2011 on the file of the learned Principal District Court at Coimbatore and transfer the same to some other District Court.

For Petitioners : Mr.R.Singaravelan
Senior Counsel for
Ms.M.Srividhya
For Respondents : Mr.R.Bharath Kumar [for R1]
Mr.S.Mukunth for
M/s.Sarvabhauman Associates [for
R2]
No appearance [R3 to R5]

ORDER

The petitioners filed this transfer petition to withdraw the proceedings in Ar.O.P.No.436 of 2011 from the file of the Principal District Court, Coimbatore and to transfer it to any other District Courts for disposal on merits.

2. Heard the learned Senior Counsel appearing for the petitioners and the learned counsel appearing for the respondents 1 & 2.

3. When the transfer petition was taken up for hearing, the learned Senior Counsel for the petitioners fairly submitted that the petitioners would be satisfied in case a direction is given to the learned Principal District Judge, Coimbatore to adjourn the matter by a reasonable time, so as to enable the petitioners to produce documents in support of the case.

4. The learned counsel for the respondents has no serious objection in granting reasonable time to the petitioners to produce documents and to argue the matter.

5. Though the petitioners have taken several contentions in the transfer petition, the learned Senior Counsel for the petitioners now wanted only a reasonable time to produce documents before the trial Court.

6. The learned Principal District Judge, Coimbatore, is directed to post the proceedings in Ar.O.P.No.436 of 2011 on 18 October 2016. The parties are directed to produce documents if any, on or before 17.10.2016. It is open to the trial Judge thereafter to take up the matter and dispose of it on merits as expeditiously as possible.

7. The transfer petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

To
The Principal district Judge,
Coimbatore.

+1 cc to Mr.R.Bharath kumar,advocate,sr.51604

+1 cc to Ms.M.Srividhya,advocate,sr.51433

+1 cc to M/s.Sarvabhauman Associates,advocate,sr.51387.

rj(co)
krd 23/9

Tr.CMP.No.346 of 2016