



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2016

CORAM

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THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P(MD)Nos.60 to 77 of 2016

and

C.M.P(MD)Nos.1252 to 1269 of 2016

S.SANGEETHA ... PETITIONER in TR CMP(MD)No.60 of 2016

K.S.SHANKAR GANESH ... PETITIONER in TR CMP(MD)No.62 of 2016

1 M/S. SHANKAR NAGAR PROPERTY
DEVELOPERS PRIVATE LTD REPRESENTED BY ITS
MANAGING DIRECTOR K.S.SHANKAR GANESH S/O. K.
SHANMUGAM D-93 1ST FLOOR 9TH CROSS
THILLAINAGAR TRICHY.

2 K.S.SHANKAR GANESH

3 S.SANGEETHA ... PETITIONERS in TR CMP(MD)No.61, 63 to 77 of
2016

-VS-

K.MURUGESAN ... RESPONDENT in TR CMP(MD) No.60 to 62 of 2016

M/S.MEERA INVESTMENTS
REPRESENTED BY ITS PARTNER A VIJAYAN III
FLOOR PADMA TOWERS NO. 43 COVAI ROAD
KARUR - 639 002.

... RESPONDENT in TR CMP(MD) No.63 of 2016

M/S. MAHARISHI CREDITS
REPRESENTED BY ITS PARTNET A VIJAYAN III
FLOOR PADMA TOWERS NO. 43 COVAI ROAD
KARUR -639 002.

... RESPONDENT in TR CMP(MD) No.64 of 2016

M/S.NIRAIMATHI FINANCE AND
INVESTMENTS REPRESENTED BY ITS MANAGING
PARTNER R.S. MANIYAN 306/B1 BHARATHY NAGAR
1 FLOOR MAHATHMA GANDHI ROAD KARUR - 639 002.

<https://hcservices.ecourts.gov.in/hcservices/> ... RESPONDENT in TR CMP(MD) No.65 of 2016



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M/S. LIFE LINE AUTO FINANCE
REPRESENTED BY ITS MANAGING PARTNER R.S.
MANIYAN 306/B1 BHARATHY NAGAR I FLOOR
MAHATHMA GANDHI ROAD KARUR 639 002.

... RESPONDENT in TR CMP(MD) No.66 of 2016

M/S. NIRAIMATHI CAPITAL
REPRESENTED BY ITS MANAGING PARTNER R.S.
MANIYAN 306/B1 BHARATHY NAGAR I FLOOR
MAHATHMA GANDHI ROAD KARUR 639 002.

... RESPONDENT in TR CMP(MD) No.67 of 2016

M/S. ARULSELVI FINANCE
REPRESENTED BY ITS MANAGING PARTNER R.S.
MANIYAN 306/B1 BHARATHY NAGAR I FLOOR
MAHATHMA GANDHI ROAD KARUR 639 002.

... RESPONDENT in TR CMP(MD) No.68 of 2016

M/S. ELAVARASI AUTO FINANCE
REPRESENTED BY ITS MANAGING PARTNER,
R.S.MANIYAN, 306/B1 BHARATHY NAGAR I FLOOR
MAHATHMA GANDHI ROAD KARUR 639 002.

... RESPONDENT in TR CMP(MD) No.69 of 2016

M/S. NAVASAKTHI AUTO FINANCE
REPRESENTED BY ITS MANAGING PARTNER R.S.
MANIYAN 306/B1 BHARATHY NAGAR I FLOOR
MAHATHMA GANDHI ROAD KARUR 639 002.

... RESPONDENT in TR CMP(MD) No.70 of 2016

M/S. PAINTHAMIL FINANCE
REPRESENTED BY ITS MANAGING PARTNER R.S.
MANIYAN 306/B1 BHARATHY NAGAR I FLOOR
MAHATHMA GANDHI ROAD KARUR 639 002.

... RESPONDENT in TR CMP(MD) No.71 of 2016

M/S.ELAVARASI LEASINGS
REP BY ITS MANAGING PARTNER R.S.MANIYAN
306/B1 BHARATHY NAGAR 1ST FLOOR MAHATHMA
GANDHI ROAD KARUR 639 002.

... RESPONDENT in TR CMP(MD) No.72 of 2016



M/S.PAINTHAMIL LEASING

REP BY ITS MANAGING PARTNER R.S.MANIYAN

306/B1 BHARATHY NAGAR 1ST FLOOR MAHATHMA

GANDHI ROAD KARUR 639 002.

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... RESPONDENT in TR CMP(MD) No.73 of 2016

M/S.ELAVARASI FINANCE &

INVESTMENTS REP BY ITS MANAGING PARTNER

R.S.MANIYAN 306/B1 BHARATHY NAGAR 1ST FLOOR

MAHATHMA GANDHI ROAD KARUR 639 002.

... RESPONDENT in TR CMP(MD) No.74 of 2016

M/S.PAINTHAMIL CAPITAL

REP BY ITS MANAGING PARTNER R.S.MANIYAN

306/B1 BHARATHY NAGAR 1ST FLOOR MAHATHMA

GANDHI ROAD KARUR 639 002.

... RESPONDENT in TR CMP(MD) No.75 of 2016

M/S.ELAVARASI CAPITAL

REP BY ITS MANAGING PARTNER R.S.MANIYAN

306/B1 BHARATHY NAGAR 1ST FLOOR MAHATHMA

GANDHI ROAD KARUR 639 002.

... RESPONDENT in TR CMP(MD) No.76 of 2016

M/S.ELAVARASI INVESTMENTS

REP BY ITS MANAGING PARTNER R.S.MANIYAN

306/B1 BHARATHY NAGAR 1ST FLOOR MAHATHMA

GANDHI ROAD KARUR 639 002.

... RESPONDENT in TR CMP(MD) No.77 of 2016

PRAYER in Tr.C.M.P. (MD) No.60 of 2016:

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw the suit in O.S.No.6 of 2016 pending on the file of the District Court, Karur and transfer the same to the Principal District Court, Tiruchirappalli or any other District Court situate around the Karur District as per the order of this Hon'ble High Court.

Prayer in TR CMP(MD) No.61 of 2016:

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw the suit in OS.No.7/2016 pending on the file of the District Court, Karur and transfer the same to the Principal Distirct Court, Tiruchirappalli or any other District Court situate around the Karur District as per the order of this Honourable High Court that may be passed in



this regard and thus render justice.

Prayer in TR CMP(MD) No.62 of 2016:

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw the suit in OS.No.8/2016 pending on the file of the District Court, Karur and transfer the same to the Principal Distirct Court, Tiruchirappalli or any other District Court situate around the Karur District as per the order of this Honourable High Court that may be passed in this regard and thus render justice.

Prayer in TR CMP(MD) No.63 of 2016:

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw the suit in OS.No.9/2016 pending on the file of the District Court, Karur and transfer the same to the Principal Distirct Court, Tiruchirappalli or any other District Court situate around the Karur District as per the order of this Honourable High Court that may be passed in this regard and thus render justice.

Prayer in TR CMP(MD) No.64 of 2016:

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw the suit in OS.No.10/2016 pending on the file of the District Court, Karur and transfer the same to the Principal Distirct Court, Tiruchirappalli or any other District Court situate around the Karur District as per the order of this Honourable High Court that may be passed in this regard and thus render justice.

Prayer in TR CMP(MD) No.65 of 2016:

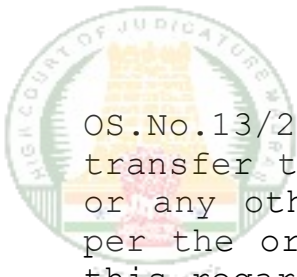
Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw the suit in OS.No.11/2016 pending on the file of the District Court, Karur and transfer the same to the Principal Distirct Court, Tiruchirappalli or any other District Court situate around the Karur District as per the order of this Honourable High Court that may be passed in this regard and thus render justice.

Prayer in TR CMP(MD) No.66 of 2016:

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw the suit in OS.No.12/2016 pending on the file of the District Court, Karur and transfer the same to the Principal Distirct Court, Tiruchirappalli or any other District Court situate around the Karur District as per the order of this Honourable High Court that may be passed in this regard and thus render justice.

Prayer in TR CMP(MD) No.67 of 2016:

<https://hcservices.ecourts.gov.in/hcservices/>
Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw the suit in



OS.No.13/2016 pending on the file of the District Court, Karur and transfer the same to the Principal Distirct Court, Tiruchirappalli or any other District Court situate around the Karur District as per the order of this Honourable High Court that may be passed in this regard and thus render justice.

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Prayer in TR CMP(MD) No.68 of 2016:

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw the suit in OS.No.14/2016 pending on the file of the District Court, Karur and transfer the same to the Principal Distirct Court, Tiruchirappalli or any other District Court situate around the Karur District as per the order of this Honourable High Court that may be passed in this regard and thus render justice.

Prayer in TR CMP(MD) No.69 of 2016:

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw the suit in OS.No.33/2016 pending on the file of the Principal Sub Court, Karur and transfer the same to the Principal Sub Court, Tiruchirappalli or any other Sub Court situate around the Karur District as per the order of this Honourable High Court that may be passed in this regard and thus render justice.

Prayer in TR CMP(MD) No.70 of 2016:

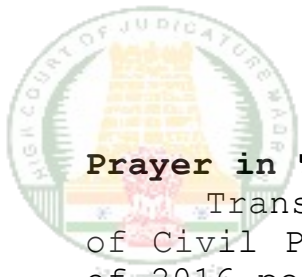
Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw the suit in OS.No.35/2016 pending on the file of the Principal Sub Court, Karur and transfer the same to the Principal Sub Court, Tiruchirappalli or any other Sub Court situate around the Karur District as per the order of this Honourable High Court that may be passed in this regard and thus render justice.

Prayer in TR CMP(MD) No.71 of 2016:

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw the suit in OS.No.37/2016 pending on the file of the Principal Sub Court, Karur and transfer the same to the Principal Sub Court, Tiruchirappalli or any other Sub Court situate around the Karur District as per the order of this Honourable High Court that may be passed in this regard and thus render justice.

Prayer in TR CMP(MD) No.72 of 2016:

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw the suit in O.S.No.39 of 2016 pending on the file of the Principal Sub Court, Karur and transfer the same to the Principal Sub Court, Tiruchirappalli or any other Sub Court situate around the karur District as per the order of this Honourable High Court that may be passed in this regard and thus render justice.

**Prayer in TR CMP(MD) No.73 of 2016:**

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw the suit in O.S.No.40 of 2016 pending on the file of the Additional Sub Court, Karur and transfer the same to the Principal Sub Court, Tiruchirappalli or any other Sub Court situate around the Karur District as per the order of this Honourable High Court that may be passed in this regard and thus render justice.

Prayer in TR CMP(MD) No.74 of 2016:

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw the suit in O.S.No.41 of 2016 pending on the file of the Principal Sub Court, Karur and transfer the same to the Principal Sub Court, Tiruchirappalli or any other Sub Court situate around the Karur District as per the order of this Honourable High Court that may be passed in this regard and thus render justice.

Prayer in TR CMP(MD) No.75 of 2016:

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw the suit in O.S.No.42 of 2016 pending on the file of the Additional Sub Court, Karur and transfer the same to the Principal Sub Court, Tiruchirappalli or any other Sub Court situate around the Karur District as per the order of this Honourable High Court that may be passed in this regard and thus render justice.

Prayer in TR CMP(MD) No.76 of 2016:

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw the suit in O.S.No.43 of 2016 pending on the file of the Principal Sub Court, Karur and transfer the same to the Principal Sub Court, Tiruchirappalli or any other Sub Court situate around the Karur District as per the order of this Honourable High Court that may be passed in this regard and thus render justice.

Prayer in TR CMP(MD) No.77 of 2016:

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code praying to withdraw the suit in O.S.No.44 of 2016 pending on the file of the Additional Sub Court, Karur and transfer the same to the Principal Sub Court, Tiruchirappalli or any other Sub Court, situate around the Karur District as per the order of this Honourable High Court that may be passed in this regard and thus render justice.

**COMMON ORDER**

The Transfer Civil Miscellaneous Petitions are filed to withdraw the suits filed by the respondents, pending on the file of the District Court, Karur and transfer the same to the Principal District Court, Tiruchirappalli or any other District Court.

2.The respondents filed suits for recovery of money. In all the suits, they have filed applications for attachment before judgment. The learned Judge has granted orders to furnish security. The petitioners filed counter in all the applications and the matter was posted on 22.02.2016, for enquiry.

3.According to the petitioner, the partners of the respondents are controlling the entire District of Karur and they are highly influential persons having money and muscle power. If the petitioners are appeared before the Court, there is no safety and security for their life. In the circumstances, they have come out with the present petitions, for transfer.

4.From the materials, it is seen that the petitioners have come out with the present transfer petitions on mere apprehension that the respondents are controlling the entire Karur District and they are having money and muscle power and there is no security and safety for the life of the petitioners. The ground on which, the petitioners seek transfer, is not a valid ground. In the circumstances, all the Transfer Civil Miscellaneous Petitions are devoid of merits.

5.In the result, the Transfer Miscellaneous petitions are dismissed. No costs. Consequently,connected miscellaneous petitions are also closed.

SD/-

Assistant Registrar

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Sub Assistant Registrar

To

- 1 The District Court,Karur.
- 2 The Principal SubCourt, Karur.
- 3 The Additional SubCourt, Karur.

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JAM/17.03.2016/7P-4C

<https://hcservices.ecourts.gov.in/hcservices/>

Tr.C.M.P (MD) Nos.60 to 77 of 2016
19.02.2016