



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2016

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THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

Tr.C.M.P(MD)Nos.208 of 2013 and 114 of 2014
and
MP(MD).Nos.1 of 2013 and 1 of 2014

Tr.C.M.P(MD)No.208 of 2013:

M/s.Raju Spinning Mills Private Limited,
Unit-B, No.1110-D, Cotton Market,
Rajapalayam.

...Petitioner/1st respondent

Vs.

1.Muthupetchi ...1st Respondent / Petitioner
2.National Insurance Company Limited,
1st Floor,
No.706, Tenkasi Road,
Post Box No.124, Rajapalayam. ...2nd Respondent/2nd Respondent

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw M.C.O.P.No.185 of 2013 on the file of the Sub-Court, Sankari and transfer the same to the file of the Chief Judicial Magistrate Court, Srivilliputhur, to be tried along with M.C.O.P.No.39 of 2013, pending before the Chief Judicial Magistrate Court, Srivilliputhur.

Tr.C.M.P(MD)No.114 of 2014:

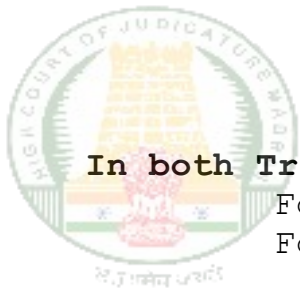
M/s.Raju Spinning Mills Private Limited,
Unit-B, No.1110-D, Cotton Market,
Rajapalayam.

... Petitioner

Vs.

1.Minor Kumar, S/o.Gurusamy
2.National Insurance Company Limited,
1st Floor,
No.706, Tenkasi Road,
Post Box No.124, Rajapalayam. ... Respondents

Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code to withdraw M.C.O.P.No.354 of 2012 on the file of the Sub-Court, Sankari and transfer the same to the file of the Chief Judicial Magistrate court, Srivilliputhur, to be tried along with M.C.O.P.No.39 of 2013, pending before the Chief Judicial Magistrate Court, Srivilliputhur.

**In both Tr.CMPs:**

For Petitioner
For respondents

: Mr.A.Sivaji
:Mr.R.Srinivasan for R-2

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COMMON ORDER

Tr.C.M.P.(MD).No.208 of 2013 has been filed to withdraw M.C.O.P.No.185 of 2013 on the file of the Sub-Court, Sankari and transfer the same to the file of the Chief Judicial Magistrate Court, Srivilliputhur, to be tried along with M.C.O.P.No.39 of 2013, pending before the Chief Judicial Magistrate Court, Srivilliputhur.

Tr.C.M.P.(MD).No.114 of 2014 is filed to withdraw M.C.O.P.No.354 of 2012 on the file of the Sub-Court, Sankari and transfer the same to the file of the Chief Judicial Magistrate court, Srivilliputhur, to be tried along with M.C.O.P.No.39 of 2013, pending before the Chief Judicial Magistrate Court, Srivilliputhur.

2. The contention of the petitioner is that the claimant is residing at Srivilliputhur and only for the purpose of jurisdiction, he filed the claim petition before the Sankari Court. Both the transfer petitions are filed to transfer M.C.O.P.Nos.354 of 2012 and 185 of 2013, pending before the Sub-Court, Sankari to the Chief Judicial Magistrate Court, Srivilliputhur to be tried along with M.C.O.P.No.39 of 2013.

3.The learned counsel for the respondent fairly concedes that in order to avoid conflicting decisions, both the transfer petitions may be allowed for joint trial along with M.C.O.P.No.39 of 2013, which is pending before the Chief Judicial Magistrate Court, Srivilliputhur.

4.In view of the submission made by the learned counsel for the respondent, this Court is inclined to allow these two transfer civil miscellaneous petitions and accordingly, the same are allowed and M.C.O.P.Nos.354 of 2012 and 185 of 2013, pending before the Sub-Court, Sankari are ordered to be transferred to the file of Chief Judicial Magistrate Court, Srivilliputhur to be tried along with M.C.O.P.No.39 of 2013 forthwith. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-II)

/True copy/



To

1. The Chief Judicial Magistrate Court, Srivilliputhur
2. The Sub-Court, Sankari

+2 CC to Mr.A.SIVAJI, Advocate, SR No.64693

Tr.C.M.P(MD)No. 208 of 2013 and 114 of 2014
MP(MD).Nos.1 of 2013 and 1 of 2014
01.11.2016

vs

SH/SKS-RR:21.11.2016:2P/5C