

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

Transfer C.M.P.No.227 of 2017

and C.M.P.No.4058 of 2017

Manickam P.A.

...Petitioner

Vs.

1.R.Saravana Balaji
2.A.Kanagaraju
3.P.A.Radhakrishnan
4.Thilagam
5.Vasanth
6.S.Gunasekaran
7.Kalaivani
8.K.Muralidharan
9.K.Kiruba
10.Selvi
11.Kanmani
12.Indirani
13.K.Mohan
14.P.Rathinasamy

...Respondents

(Notice to R2, R3, R5 to R9 & R12 are dispensed with as they were set exparte)

Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code to withdraw the suit in O.S.No.180 of 2014 from the file of the III Additional District Court, Salem, previously O.S.No.89 of 2010 at Principal Sub Court, Salem and to transfer to the file of the Principal Sub Court, Salem, the final decree petition in I.A.No.336 of 2016 in O.S.No.109 of 1966 for join trial.

For Petitioner : Mr.V.Sekar

O R D E R

The 2nd defendant in O.S.No.180 of 2014 on the file of the III Additional District Court, Salem has filed the above Transfer Civil Miscellaneous Petition under Section 24 of the Civil Procedure Code to withdraw the suit in O.S.No.180 of 2014 and to transfer the same to the file of the Principal Sub Court, Salem, to be tried along with the final decree application in I.A.No.336 of 2016 in O.S.No.109 of 1966.

2.Since the petitioner is seeking for transfer of the suit from the file of the III Additional District Court, Salem, to the file of the Principal Sub Court, Salem, I am of the view that the transfer petition can be filed before the District Court, Salem itself.

3.In such view of the matter, the Transfer Civil Miscellaneous Petition is closed and liberty is given to the petitioner to file a fresh Transfer Petition before the District Court, Salem, for appropriate relief. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Third Additional District Court,
Salem.

2.The Principal Sub Court,
Salem.

+1cc to Mr.V. Sekar, Advocate, S.R.No.14925

ppa (CO)
md(09/03/2017)

Transfer CMP No.227 of 2017
and C.M.P.No.4058 of 2017

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