

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:11.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

TR CMP NO.761 of 2017
AND CMP NO.15503 of 2013

M.B.Sampson Kirubakaran ... Petitioner

versus

Roselin Trinita ... Respondent

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure to withdraw the I.D.O.P No. 106 of 2013 pending before the learned District and Sessions Judge, Thiruvallur and Transfer the same to any other Court competent to try the same.

For Petitioner : Mr.A.R.Suresh

ORDER

सत्यमेव जयते

The petitioner is came before this Court, to transfer IDOP No.106 of 2013 pending before the learned District and Sessions Judge, Thiruvallur.

2. The grievance of the petitioner is that eventhough he has filed the petition, in the year 2013 till date, it is not disposed of one way or other, inspite of direction issued by the Court to dispose of the same within three months.

3. Now that petitioner states that I.A.No.366 of 2016, I.A No.367 of 2016, I.A.No.368 of 2016, are pending disposal without any progress. According to the petitioner he has filed counter in those three I.As, as early as on 29.08.2016. Thereafter, another I.A.No. 222 of 2017 came to be filed during April 2017. None of the I.As are disposed of, by the Court below. Therefore, eventhough the petitioner asks for transfer of original petition, the learned counsel for the petitioner would submit that he will be satisfied if all the I.As are disposed of, within a time frame.

4. Considering the request made by the learned counsel for the petitioner, without going into merits of the case, a direction is issued to the District-cum-Sessions Court, Tiruvallur, to dispose of I.A.No. 366 of 2016, I.A.No.367 of 2016, I.A.No.368 of 2016 and I.A.No.222 of 2017 and I.D.O.P No.106 of 2013, within a period of one month, from the date of receipt of a copy of this order. Thereafter I.D.O.P.No.106 of 2013 itself shall be disposed of within a further period of one month.

5. The Transfer Civil Miscellaneous Petition is disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

11.09.2017

Index : Yes/No

Internet : Yes/No

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To

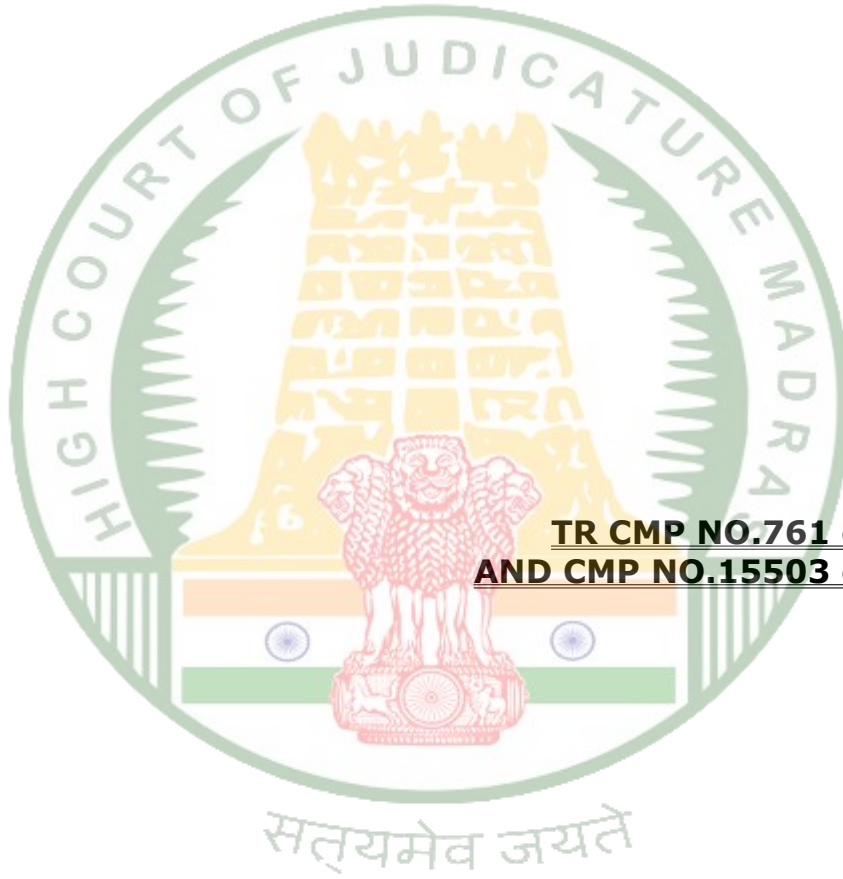
The learned District and Sessions Judge,
Thiruvallur.



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M.GOVINDARAJ, J.

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