

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 02.01.2017

Coram

The Honourable MRS.JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.171 of 2015

and

M.P.No.1 of 2015

T.Kotiswaran

... Petitioner/Defendant

vs.

1. N.Rajeswari

2. T.K.Himaya Nagalakshmi ... Respondents/Plaintiffs 1 & 2

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure praying to withdraw the plaint filed in O.S.No.217 of 2014 on the file of the IV Additional District and Sessions Judge, Ponneri and to transfer the same to some other court.

For Petitioner : Mr.C.Veeraraghavan

For Respondents : Mr.R.Munuswamy

ORDER

This Transfer Civil Miscellaneous Petition has been filed seeking transfer of the plaint filed in O.S.No.217 of 2014 on the file of the IV Additional District and Sessions Judge, Ponneri on the ground that an Advocate, who is practising at Ponneri is the person, who had prepared the settlement deed originally settling the property in favour of the petitioner herein and subsequently on his instance, it was came to cancelled and therefore, he is not able to contest the case in the said Court.

2. Heard both sides.

3. It is open to any litigant to act according to the instructions of his or her Advocate and that cannot be a reason for the opposite party to seek transfer. Here only on such frivolous ground, transfer has been sought and I do not find any merit in such contention.

4. Accordingly, this petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

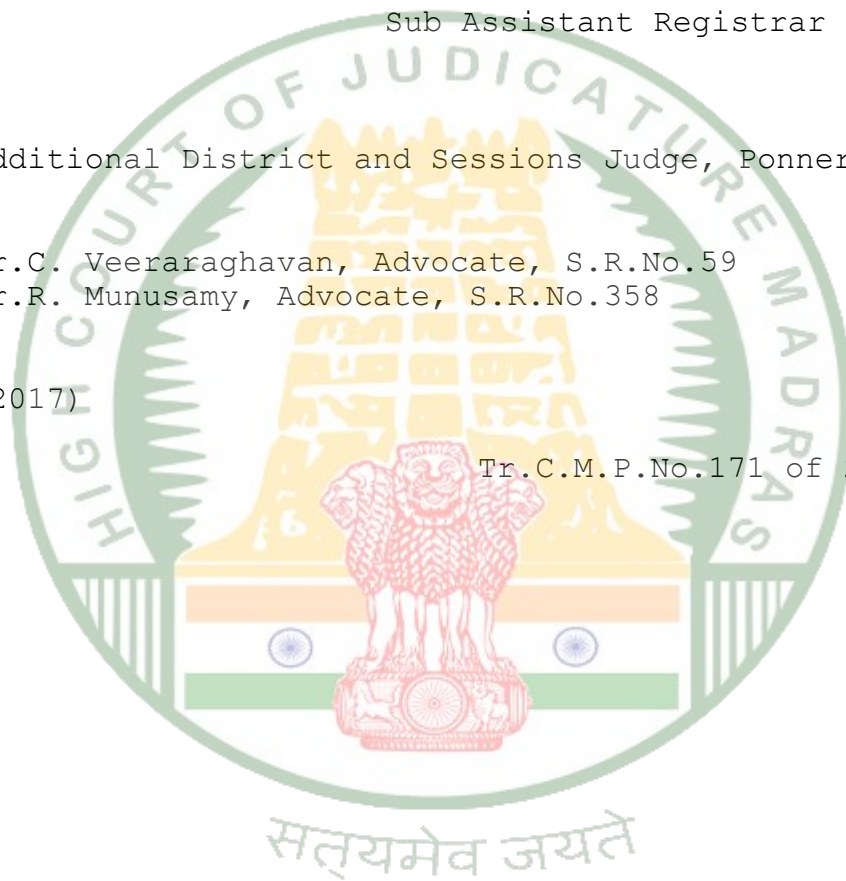
The IV Additional District and Sessions Judge, Ponneri

+1cc to Mr.C. Veeraraghavan, Advocate, S.R.No.59

+1cc to Mr.R. Munusamy, Advocate, S.R.No.358

GJII(CO)
md(24/01/2017)

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