

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED:23.06.2017

CORAM:

WEB COPY

THE HONOURABLE DR. JUSTICE G.JAYACHANDRANC.R.P. (MD) No.1196 of 2017andC.M.P. (MD) No.5655 of 2017

The Prince of Arcot Endowments
represented by its Accredited Agent
U.Khalilullah
having office at GMAK Block 2nd Floor,
NSB Link Road,
Tiruchirappalli-2.

...Petitioner/Petitioner

1.A.Sampath Raj
2.A.Xavier Chandar
3.P.Magdaleine pamila Rani
4.A.Jerald Shantharajan
5.X.Nirmala Rani
6.A.Jaraldin Soundarrajan

...Respondents/Respondents

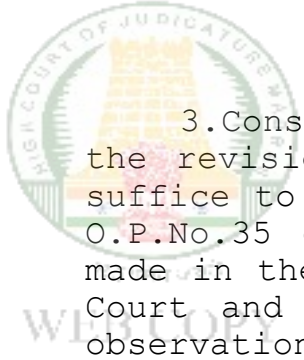
PRAYER:Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order dated 17.10.2016 in I.A.No.377 of 2016 in Transfer O.P.No.35 of 2016 on the file of the Principal District Court, Tiruchirappalli, allow the I.A.No.377 of 2016 in Transfer O.P.No.35 of 2016 on the file of the Principal District Court, Tiruchirappalli.

For Petitioner : Mr.K.S.Shankar Murali

ORDER

This Civil Revision Petition is directed against the dismissal of the application in I.A.No.377 of 2016 in Transfer O.P.No.35 of 2016 on the file of the Principal District Court, Tiruchirappalli.

2.The main grievance of the revision petitioner is that while passing orders in the Interlocutory application, the trial Court has gone into the merits of the case and made some erroneous observation and it will prejudice his case during trial and another point canvassed by the revision petitioner is that the Interlocutory application is dismissed and the Transfer O.P. is still pending and if the Court below proceeds with the case, it would defeat the very purpose of the filing of Transfer O.P.



3.Considering the submissions made by the Counsel appearing for the revision petitioner, this Court is of the opinion that it is suffice to direct the Principal District Judge, to take up Transfer O.P.No.35 of 2016 and pass orders on merits and the observations made in the Interlocutory applications shall have no bearing on any Court and the Court below shall not take into consideration any observation made in the said order. The said Transfer O.P., may be disposed of as expeditiously as possible preferable by 31.07.2017

4.Accordingly, this Civil Revision Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(P & A)

/True Copy/

Sub Assistant Registrar

To

The Principal District Judge,
Tiruchirappalli.

+1cc to Mr.K.S.Shangar Murali Advocate in SR. No.61765

MM/SMI
JS/JC/SAR.1/7.7.2017/2P-3C

C.R.P. (MD)No.1196 of 2017
and
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