



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :11.07.2017

CORAM

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THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

TR CMP(MD)No.157 of 2017
and CMP(MD)No.3591 of 2017

Jessiya Begum

... Petitioner / Petitioner

Vs.

.S.Kathar Mydeen

... Respondent/ Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw the suit in O.S.No.35 of 2016 on the file of District Munsif Court, Melur and to transfer the same to the District Munsif Court, Manamadurai.

For Petitioner

: Mr.V.Lakshmanan

For Respondent

: Mr.A.Mohamed Yusuf

ORDER

This Transfer Civil Miscellaneous Petition is filed seeking transfer of O.S.No.35 of 2016 from the file of District Munsif Court, Melur to the file of the District Munsif Court, Manamadurai.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3.After elaborate arguments, the learned counsel for the respondent would submit that he has no objection for transferring the case from Melur Court, provided, time frame is fixed for completing the trial in O.S.No.35 of 2016 as the trial has already been commenced.

4. Considering the above stated circumstances, I am inclined to allow this Transfer Civil Miscellaneous Petition. Accordingly, this petition is allowed with the following directions:

i) The learned District Munsif, Melur, is directed to transmit the entire records in O.S.No. 35 of 2016 to the file of the District Musnif Court, Manamadurai within a period of two weeks from the date of receipt of copy of this order.



ii) the learned District Munsif, Manamadurai, after obtaining the records on transfer, is directed to dispose of the suit in O.S.No.35 of 2016 within a period of six months from the date of receipt of copy of this order.

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No costs. Consequently, connected C.M.P.(MD) No.3591 of 2017 is closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1 The District Munsif, Melur.

2 The District Munsif, Manamadurai.

+1cc to M/S.V.Lakshmanan, Advocate SR.No. 64832

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CM

JM/SKN RSK/SAR 1/24.07.2017/2P/4C