



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 25.04.2017

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.C.M.P(MD)No.178 of 2017

and

C.M.P(MD)Nos.4076 and 4077 of 2017

G.Selvaraj

.. Petitioner/Plaintiff

vs.

1.L.Appathurai

2.V.Revathy

.. Respondents/Defendants

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, praying this Court to withdraw the suit in O.S.No.63 of 2008 pending on the file of the District and Sessions Court, Kanyakumari District at Nagercoil and transfer the same to any other District Court in the nearby District within the jurisdiction of this Court.

For Petitioner : Mr.V.Meenakshisundaram
for M/s.D.Nallathambi

ORDER

This Transfer Civil Miscellaneous Petition is filed praying this Court to withdraw the suit in O.S.No.63 of 2008, pending on the file of the District and Sessions Court, Kanyakumari District at Nagercoil and transfer the same to any other District Court in the nearby District within the jurisdiction of this Court.

2.The only ground alleged by the Petitioner for transfer is that copies of the orders in I.As disposed of on 4.4.2017 in I.A.Nos.104/14, 105/14, 106/14, 330/15, 331/15, 332/15, 33/15 have not been furnished to the learned counsel for the Petitioner. I do not think that this may itself constitute a ground for transfer.

3.The learned counsel for the Petitioner would also contend that the Court below has shown extreme urgency in posting of the suit. The Petitioner is not justified in raising such contention in view of the fact that the Petitioner himself has obtained directions for disposal of the suit on or before 30.4.2017 in



C.R.P(MD)No.426 of 2016. who has caused urgency in dealing with the suit.

4. Therefore I see no reason to transfer the proceedings in O.S.No.63 of 2008, on the file of the Principal District Judge, Kanyakumari District. Hence the Transfer Civil Miscellaneous Petition is dismissed. However, the learned Principal District Judge, Kanyakumari is directed to furnish the copies of the orders in the above I.As to the Petitioner herein on or before 28.4.2017. Consequently, connected Miscellaneous Petitions are dismissed. No costs.

Sd/-
Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1. The Principal District Judge,
District and Sessions Court,
Kanyakumari District.

+1 cc to Mr.D.Nallathambi , Advocate in SR.No. 53708

vsn

AE/SKN RSK/SAR2/25.04.2017/2P/3C

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