

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 18.12.2017****CORAM:****THE HONOURABLE MRS.JUSTICE J.NISHA BANU****Tr.C.M.P. (MD) .No.369 of 2017****and****C.M.P. (MD) .No.7551 of 2017**

R.Jeyaraman

... Petitioner

Vs.

1. M.Kesavan
2. M.Pandiservai
3. Senthil

... Respondents

PRAYER: The Transfer Civil Miscellaneous Petition has been filed under Section 24 of the Civil Procedure Code to withdraw the E.A.No.72 of 2017 in E.P.No.6 of 2013 in O.S.No.183 of 2004 from the file of the District Munsif Court, Melur and transfer the same to any other District Munsif Court, other than Madurai District.

For Petitioner	: Mr.N.Tamilmani
For R1	: Mr.K.M.Thirupathy
For R2	: Mr.S.A.Ajmal Khan
For R3	: Mr.T.Amjad Khan

O R D E R

The Transfer Civil Miscellaneous Petition has been filed to transfer the E.A.No.72 of 2017 in E.P.No.6 of 2013 in O.S.No.183 of 2004 from the file of the District Munsif Court, Melur to any other District Munsif Court, other than Madurai District.

2. When the matter came up for hearing on 12.09.2017, this Court directed the first respondent/judgment debtor viz., M.Kesavan to pay a sum of Rs.25,000/- as fourth and final instalment, on 12.12.2017. As per the order of this Court, on 12.12.2017, the amount of Rs.25,000/- was paid to the second respondent/plaintiff and the amount was also received by the second respondent and the same was also acknowledged by the second respondent. Since the entire decretal amount was paid to the second respondent/plaintiff by the judgment debtor/first respondent by four instalments, the dispute among the parties is settled.

3. In view of the settlement entered between the parties, the auction purchaser, who is also present before this Court through his counsel is permitted to withdraw the amount deposited by him before the Court.



4. Based on this order, the learned District Munsif, Melur shall dispose of the suit in O.S.No.183 of 2004 within a period of four weeks from the date of receipt of a copy of this order. The Memo for Payment and the Memo for complying the order of payment and final settlement shall form part of this order. Accordingly, the Transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The District Munsif,
Melur.
2. The Record Keeper,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.N.Tamilmani, Advocate Sr.No.93483
+1cc to Mr.K.M.Thirupathy , Advocate Sr.No.93661

AKV

VB/KK/SAR1/17/01/2018/2P/6C

Tr.C.M.P. (MD) .No.369 of 2017
18.12.2017