

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10.04.2018

Coram:

THE HONOURABLE **MR.JUSTICE P.VELMURUGAN**

C.R.P.(PD)No.1327 of 2018 and
CMP.No.6925 of 2018

Selvakumar

... Petitioner

Vs.

1. Rajanbabu
2. Tamil @ Tamilarasan
3. P.Ganesan
4. A. Govindaraji
5. G.Iyyanar
6. P.Gopal
7. The Tahsildar,
Mettur, Mettur Dam – 6366 401.
Salem District.
8. The Sub-Collector,
Mettur, Mettur Dam – 6366 401.
Salem District.
9. The District Collector,
Salem Collectorate,
Salem District.

... Respondents

Civil Revision Petition has been filed under Article 227 of the Constitution of India against the order dated 26.10.2017 in Tr.O.P.No.186 of 2016 on the file of the learned Principal District Judge, Salem.

For Petitioner

: Mr.T.Karunakaran

ORDER

This civil revision petition has been filed against the order dated 26.10.2017 in Tr.O.P.No.186 of 2016, on the file of the learned Principal District Judge, Salem.

2 The second respondent herein filed a suit in O.S.No.243 of 2014, against the revision petitioner and others, on the file of the learned District Munsif, Salem. During trial, after examining plaintiff as witness and marking of certain documents, the revision petitioner made copy application seeking certified copy of the entire documents which are marked by the plaintiff including the plaint. The office of the learned District Munsif, Mettur, returned the copy application by making some endorsement. In spite of re-presenting the copy application, on three occasions, the learned District Munsif, Mettur has not issued the certified copies, sought for by the revision petitioner.

3 Hence, the revision petitioner filed civil revision petition in CRP(PD).No.2196 of 2016 before this Court and got directions and as per the directions, he also got certified copy of the documents as sought for by him. Subsequently, the revision petitioner felt that he would not get fair justice and filed a petition in Tr.O.P.No.186 of 2016

under Section 24 of CPC, on the file of the learned Principal District Judge, Salem, to transfer O.S.No.243 of 2014 pending on the file of the learned District Munsif, Mettur to any other District Munsif within the jurisdiction of Salem District.

4 The Principal District Judge, Salem, after hearing the arguments advanced on either side, dismissed the Tr.O.P.No.186 of 2016, by an order dated 26.10.2017.

5 Aggrieved against the above said order dated 26.10.2017, the revision petitioner has now come forward with the present civil revision petition.

6 Heard the learned counsel for the petitioner and perused the materials available on record.

7 A perusal of the records reveal that the reasons adduced by the revision petitioner in Tr.O.P.No.186 of 2016, to transfer the suit in O.S.No.243 of 2014, pending on the file of the learned District Munsif, Mettur, is not sufficient and enough. The learned Principal District Judge has rightly dismissed the Transfer Original Petition by giving valid and cogent reasons.

P.VELMURUGAN, J.,

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8 This Court does not find any illegality or infirmity in the order passed by the learned Principal District Judge in Tr.O.P.No.186 of 2016 dated 26.10.2017. Accordingly, the civil revision petition is dismissed. Consequently connected miscellaneous petition is closed. No costs.

9 Since the suit is pending from the year 2014, the learned District Munsif, Mettur, is directed to dispose of the suit in O.S.No.243 of 2014 without influencing the observations made in the orders in Transfer Original Petition and this Civil Revision Petition, within a period of six months from the date of receipt of a copy of this order.

10.04.2018

Index:Yes/No

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To

1. The Principal District Judge, Salem
2. The District Munsif, Mettur.

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