

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P.No.1091 of 2017

Saraswathy

... Petitioner

Vs.

S.V.Raghavan

... Respondent

Prayer:- Petition has been filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.437 of 2017 pending on the file of the Subordinate Court, Poonamalle and transfer the same to the file of the Principal Subordinate Court, Sivagangai to be tried along with D.W.O.P.No.3 of 2017.

For Petitioner : Mr.T.Muruganantham

For Respondent : Mr.P.R.Krishnaraj

O R D E R

This Transfer Civil Miscellaneous Petition is filed to withdraw H.M.O.P.No.437 of 2017 pending on the file of the Subordinate Court, Poonamalle and transfer the same to the file of the Principal Subordinate Court, Sivagangai to be tried along with D.W.O.P.No.3 of 2017.

2.When the matter is taken up for hearing, the learned counsel for the respondent submitted that the respondent has no objection in transferring the case in H.M.O.P.No.437 of 2017 pending on the file of Subordinate Court, Poonamallee to the Principal Subordinate Court, Sivagangai to be tried along with D.W.O.P.No.3 of 2017 and prayed for speedy disposal of H.M.O.P.No.437 of 2017 and made an endorsement to that effect.

3.Recording the submission and endorsement made by the learned counsel for the respondent, without deciding the issue on merits, the petition in H.M.O.P.No.437 of 2017 is ordered to be withdrawn from the file of Subordinate Court, Poonamallee and transferred to the file of Principal Subordinate Court, Sivagangai to be tried along with D.W.O.P.No.3 of 2017 in the interest of justice, in order to avoid multiplicity of

proceedings and conflicting judgments being delivered by two different Courts. The Presiding Officer, Subordinate Court, Poonamallee is directed to transmit all the records pertaining to H.M.O.P.No.437 of 2017 to the file of the Principal Subordinate Court, Sivagangai, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such records, the learned Principal Subordinate Judge, Sivagangai is directed to dispose of both the cases viz., H.M.O.P.No.437 of 2017 and D.W.O.P.No.3 of 2017 as expeditiously as possible, in any event not later than six months from the date of receipt of copy of this order.

4. Accordingly, this Transfer Civil Miscellaneous petition is ordered. No costs.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

gsa

To

1. The Subordinate Judge,
Poonamallee.

2. The Principal Subordinate Judge,
Sivagangai.

+1cc to Mr.T.MURUGANANTHAM, Advocate, S.R.No.29779
+1cc to Mr.P.R.KRISHNARAJ, Advocate, S.R.No. 29416

Tr.C.M.P.No.1091 of 2017

SG(CO)
TR(16/05/2018)

सत्यमेव जयते

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