

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P. Nos.121 and 130 of 2017
and C.M.P.Nos.2018 and 2235 of 2017

Nallaka Dayarammayya (died)

- 1.Jaya @ Jayalakshmi
- 2.Narasimman
- 3.Vasantha
- 4.Manickam
- 5.Madanagopal
- 6.Kannan
- 7.Kanchana

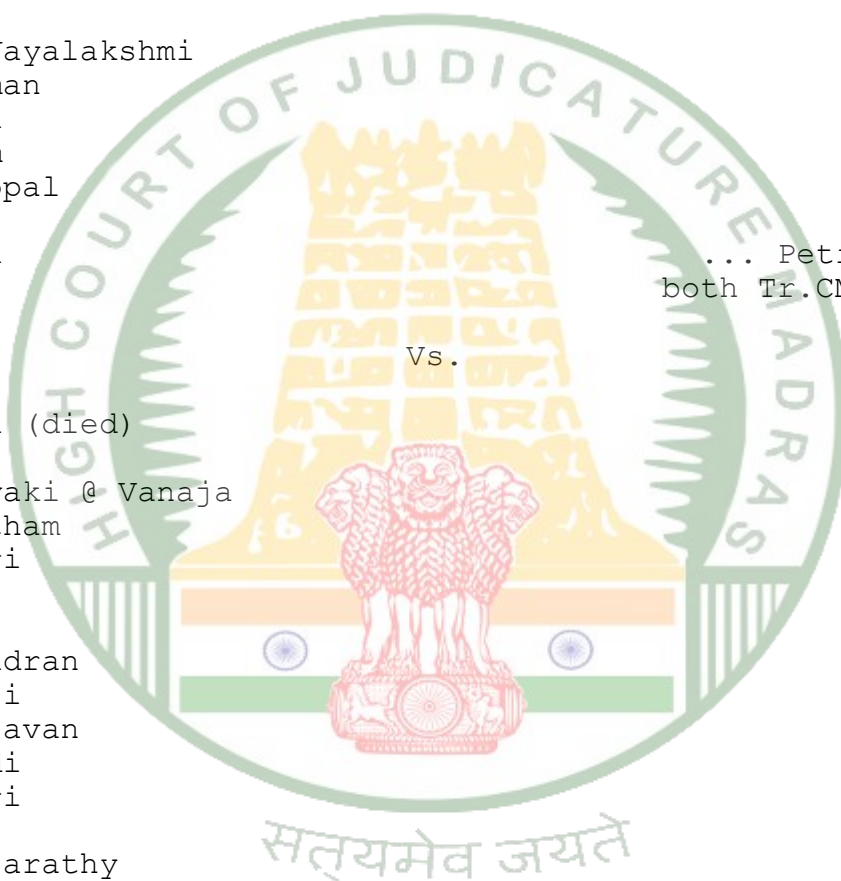
... Petitioners in
both Tr.CMPs.

Vs.

Devarajulu (died)

- 1.Ranganayaki @ Vanaja
- 2.Navaneetham
- 3.Rajeswari
- 4.Devi
- 5.Rani
- 6.Hemachandran
- 7.Vedavalli
- 8.Killivalavan
- 9.Muniyandi
- 10.Kasthuri
- 11.Indira
- 12.Parthasarathy
- 13.Jaganathan
- 14.Gowrishankar
- 15.Durga
- 16.Gunasekaran
- 17.Kumudhavalli
- 18.Damodaran
- 19.Vanajammal
- 20.Maheswari

... Respondents in
Tr.CMP.No.121 of 2017



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1.The Government of Tamil Nadu
Represented by District Collector
Tiruvallur.

Devarajulu (died)

2.Ranganayaki @ Vanaja
3.Navaneetham
4.Rajeswari
5.Devi
6.Rani
7.Hemachandran
8.Vedavalli
9.Killivalavan
10.K.Muniyandi
11.Kasthuri
12.Indira
13.Parthasarathy
14.Jaganathan
15.Gowrishankar
16.Durga

... Respondents in
Tr.CMP.No.130 of 2017

Prayer:- Petitions are filed under Section 24 of C.P.C., to withdraw O.S.Nos.67 and 389 of 2007 pending on the file of the I Additional District Court, Tiruvallur and transfer the same to any other Court within the jurisdiction.

In both Tr.CMPs.

For Petitioners : M/S.E.Sumathi

For Respondents : No appearance

O R D E R

Both the Transfer Civil Miscellaneous Petitions are filed to withdraw O.S.Nos.67 and 389 of 2007 pending on the file of the I Additional District Court, Tiruvallur and transfer the same to any other Court within the jurisdiction. The transfer of both the suits are sought on the very same ground namely, the learned Judge is not granting time to file counter and also adjourned the case on day to day basis and called the petitioners to his Chamber and threatened them to withdraw the suits.

2.Heard the learned counsel for the petitioners and perused the materials available on record. Though notice was served on the respondents and their names are printed in the cause list, there is no representation on behalf of them either in person or through counsel.

3.From the records, it is seen that the petitioners made vague and baseless allegations against the learned Judge. The petitioners have not given any particulars with regard to the hearing of the suits as well as when the learned Judge called them to his Chamber and threatened them. The petitioners have not mentioned the details of the proceedings, in which they are seeking time to file counter and when the learned Judge refused to grant time. It is repeatedly held by this Court that vague and baseless allegations against the Presiding Officer should not be entertained and such attitude of the petitioners must be deprecated, as such allegations create black mark on the service of the Presiding Officer.

4.Accordingly, both the Transfer Civil Miscellaneous Petitions are dismissed due to vagueness of the averments made in the petitions. The learned Judge is directed to give opportunity to the petitioners to putforth their case on merits and decide both the suits in O.S.Nos.67 and 389 of 2007 on merits and in accordance with law. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Deputy Registrar

/true copy/

Sub Asst. Registrar

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To

I Additional District Judge, Tiruvallur.

Tr.C.M.P. Nos.121 and 130 of 2017
and C.M.P.Nos.2018 and 2235 of 2017

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