

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P. No.61 of 2017

and C.M.P.No.1273 of 2017

Poonguzhali

... Petitioner

Vs.

G.Natarajan

.... Respondent

Prayer:- Petition is filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.208 of 2016 on the file of the Sub-Court, Tambaram and transfer the same to the file of the Additional Sub-Court, Kumbakonam, to try along with H.M.O.P.No.150 of 2016 pending on its file.

For Petitioner : Mr.J.Antony Jesus

For Respondent : Mr.A.E.Lakshmi Narayanan

O R D E R

This petition is filed to withdraw H.M.O.P.No.208 of 2016 on the file of the Sub-Court, Tambaram and transfer the same to the file of the Additional Sub-Court, Kumbakonam, to try along with H.M.O.P.No.150 of 2016 pending on its file.

2.When this petition is taken up for hearing, the learned counsel appearing for the respondent submitted that the respondent has no objection to transfer H.M.O.P.No.208 of 2016 pending on the file of the Sub-Court, Tambaram, to the file of the Additional Sub-Court, Kumbakonam, to try along with H.M.O.P.No.150 of 2016 pending on its file and he has also made an endorsement to that effect.

3.Heard the learned counsel for the petitioner as well as the respondent.

4.In view of the submission and endorsement so made by the learned counsel for the respondent, without deciding the issue on merits, the petition in H.M.O.P.No.208 of 2016 pending on the

file of the Sub-Court, Tambaram, is ordered to be withdrawn and transferred to the file of the Additional Sub-Court, Kumbakonam, to try along with H.M.O.P.No.150 of 2016 filed by the petitioner, in order to avoid multiplicity of proceedings and conflicting judgments being delivered by two different Courts. The learned Subordinate Judge, Tambaram, is directed to transmit all the records pertaining to H.M.O.P.No.208 of 2016 to the file of the Additional Sub-Court, Kumbakonam, within a period of two weeks from the date of receipt of a copy of this order.

5. Accordingly, the Transfer Civil Miscellaneous Petition is ordered. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

kj
To

- 1.The Additional Subordinate Judge, Kumbakonam.
- 2.The Subordinate Judge, Tambaram.

+1cc to Mr.J.Antony Jesus, Advocate Sr.31495

Tr.C.M.P. No.61 of 2017
and C.M.P.No.1273 of 2017

rj[col
srg 29/05/2018

WEB COPY