

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.4. 2018

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

TR CMP NO.796 OF 2017
AND CMP NO.16184 OF 2017

M/s.Bharanee Enterprises (Regd.)
Rep. by its Partner M.Navaneetham
No.6/35, Kasi Chetty Street (II Floor)
Chennai - 600 049. Petitioner

Vs.

1.V.Gowthaman
2.G.Kalpana Respondents

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code to withdraw E.P.No.34 of 2014 pending on the file of the Subordinate Judge of Tambaram and transfer to City Civil Court, Chennai.

For Petitioner : Mr.R.Govindasamynathan

O R D E R

सत्यमेव जयते

This Transfer Civil Miscellaneous Petition is filed to withdraw E.P.No.34 of 2014 from the file of Subordinate Court, Tambaram and to transfer the same to City Civil Court, Chennai.

2. Admittedly, the decree was passed by the City Civil Court, Chennai. If the movable or immovable property is situate within the jurisdiction of other Court, the decree holder has to get the decree transmitted to the Court, which has jurisdiction, to execute the same. On the other hand, seeking transfer of the execution proceedings itself, is not sustainable.

3. Therefore, the Transfer Civil Miscellaneous Petition is dismissed. It is open to the petitioner seeking leave to transmit the decree to the concerned Court, which has jurisdiction to execute the decree. No costs. Consequently, connected civil miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

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Sub Assistant Registrar

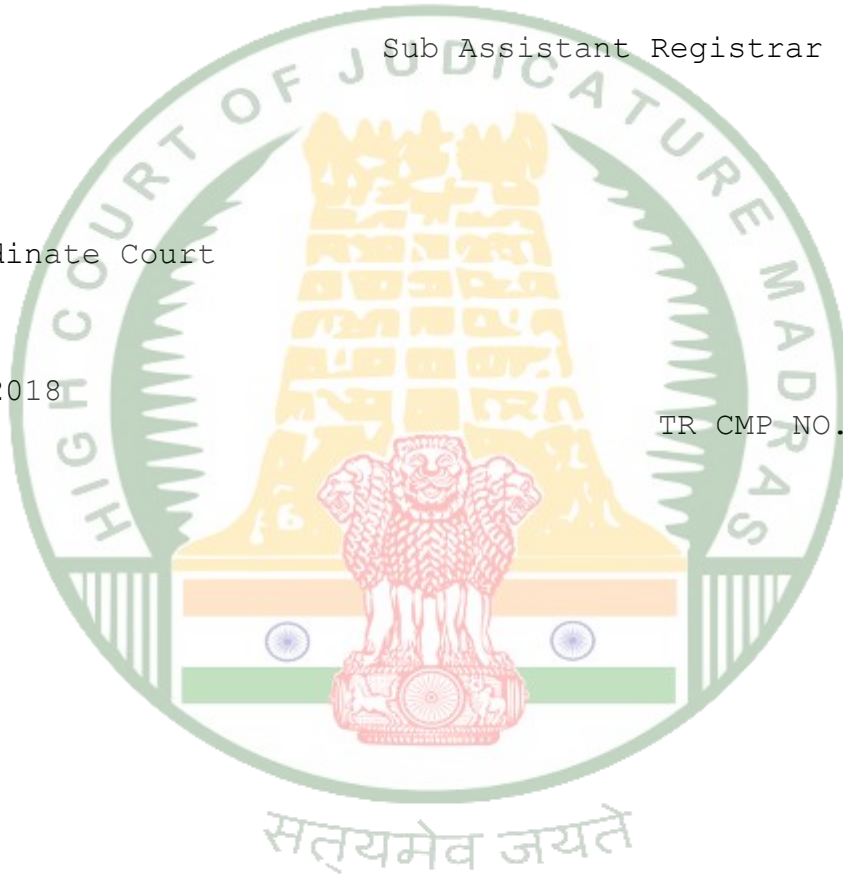
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To

The Subordinate Court
Tambaram.

GMI (CO)
sm:16.10.2018

TR CMP NO.796 OF 2017



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