

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P. No.807 of 2017
and C.M.P.No.16405 of 2017

1.Gnanasekaran
2.V.Anbazhagan

... Petitioners

Vs.

1.V.Chandrasekaran
2.V.Gunasekaran
3.R.Ranganayagi

.... Respondents

Prayer:- Petition is filed under Section 24 of C.P.C., to withdraw O.S.No.168 of 2016 pending on the file of the Principal District Munsif Court, Tiruvannamalai and transfer the same to the file of the Principal Sub Court, Tiruvannamalai, to be tried along with O.S.No.42 of 2017.

For Petitioners : Ms.S.Sowmiya

For R1 : Mr.B.Jawahar

For R2 & R3 : Mr.R.Gopinath

O R D E R

This Transfer Civil Miscellaneous Petition has been filed to withdraw O.S.No.168 of 2016 pending on the file of the Principal District Munsif Court, Tiruvannamalai and transfer the same to the file of the Principal Sub Court, Tiruvannamalai, to be tried along with O.S.No.42 of 2017.

2.Heard the learned counsel for the petitioners as well as the respondents and perused the materials available on record.

3.According to the petitioners, it will be convenient for both the parties, if both the suits are tried together.

4.From the averments in the affidavit filed in support of the above petition, it is seen that the petitioners are seeking transfer of the suit, O.S.No.168 of 2016 pending on the file of the Principal District Munsif Court, Tiruvannamalai to the file of the Principal Sub Court,

Tiruvannamalai, within the same district. The learned Principal District Judge has power to transfer any case pending before the Subordinate Court to another Subordinate Court within the same district. The petitioners have not given any reason for not filing petition before the Principal District Court, Thiruvannamalai.

5.In view of the same, the present Transfer Civil Miscellaneous Petition is dismissed. It is open to the petitioners to file appropriate petition before the Principal District Court for transfer of the suit, O.S.No.168 of 2016. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

LPP/gsa

To

The Principal District Munsif,
Tiruvannamalai.

+ 1 cc to Mr. M. Selvam, Advocate Sr.38630

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SSI (CO)
EU(12/07/2018)

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