

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2018

CORAM :

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P. No.836 of 2017

and C.M.P.No.17471 of 2017

M/s.Hermes I Tickets Private Limited,
Rep. by its Cluster Manager
Mr.K.Kathirvel Shaju Kumar,
C-9, Thiru-vi-ka Industrial Estate,
Guindy, Chennai - 600 032. Petitioner

versus

1. V5 Systems,
Rep. by its Proprietor Mr.K.Mohanraj
V V Giri Complex, Opp. Arun Silks,
Near Tamilnadu Theatre,
Palladam Road,
Tirupur - 641 605.
2. Visalakshi Agencies,
Rep. by Mr.Sanjeethkumar,
1/481, DPN Nagar, Muthanampalayam,
Dharapuram Road,
Tirupur - 641 604.
3. RPS Agency,
Rep. by Ramya,
105, Vaniyar Street,
Avinashi, Tirupur - 641 604. Respondents

Prayer:- The Petition is filed under Section 24 of C.P.C. praying to withdraw O.S.No.29 of 2017 pending on the file of the 1st Additional District Judge at Tiruppur and transfer the same to the file of the 17th Additional Judge, City Civil Court, Chennai to try the same jointly along with O.S.No.2430 of 2017.

For Petitioner	:	Mr.A.C.Kumaragurubaran
For R1	:	No appearance
For R2 & R3	:	Served - No appearance

O R D E R

The transfer petition is filed for withdrawing the suit in O.S.No.29 of 2017 pending on the file of I Additional District Court, Tiruppur and transferring the same to the file of XVII Additional City Civil Court, Chennai, to be tried along with O.S.No.2430 of 2017.

2. O.S.No.29 of 2017 was filed by the plaintiff/first respondent herein, before the I Additional District Judge, Tiruppur for recovery of money to the tune of Rs.20,00,000/- from the defendant/petitioner as compensation to them with interest. O.S.No.2430 of 2017 was filed by the petitioner herein before the XVII Additional Judge, City Civil Court, Chennai for recovery of money to the tune of Rs.24,67,000/- with interest.

3. According to the petitioner, in both the suits the parties are one and the same and the evidence that may be let in also would be the same. The petitioner company is situated in Chennai. As the documents, that should be relied on, are also one and the same, there may be a conflict in decisions, if the matters are tried independent of each other. Hence, to save much time and energy the instant petition has been filed by the petitioner/the defendant in O.S.No.29 of 2017 for transferring the same, from the file of I Additional District Court, Tiruppur to the file of XVII Additional Judge, City Civil Court, Chennai, to be tried along with O.S.No.2430 of 2017.

4. Heard the learned counsel for the petitioner. The respondents have been served notice through Court and their names are printed in the cause list, however, they have not chosen to appear either in person or through counsel.

5. As stated earlier, as the parties are same and evidence involved in both the suits are the same and to avoid conflict in decisions, it would be appropriate to order transfer of O.S.No.29 of 2017, to be tried along with O.S.No.2430 of 2017.

6. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and O.S.No.29 of 2017, pending on the file of I Additional District Court, Tiruppur shall stand withdrawn and transferred to the file of XVII Additional City Civil Court, Chennai, to be tried along with O.S.No.2430 of 2017. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

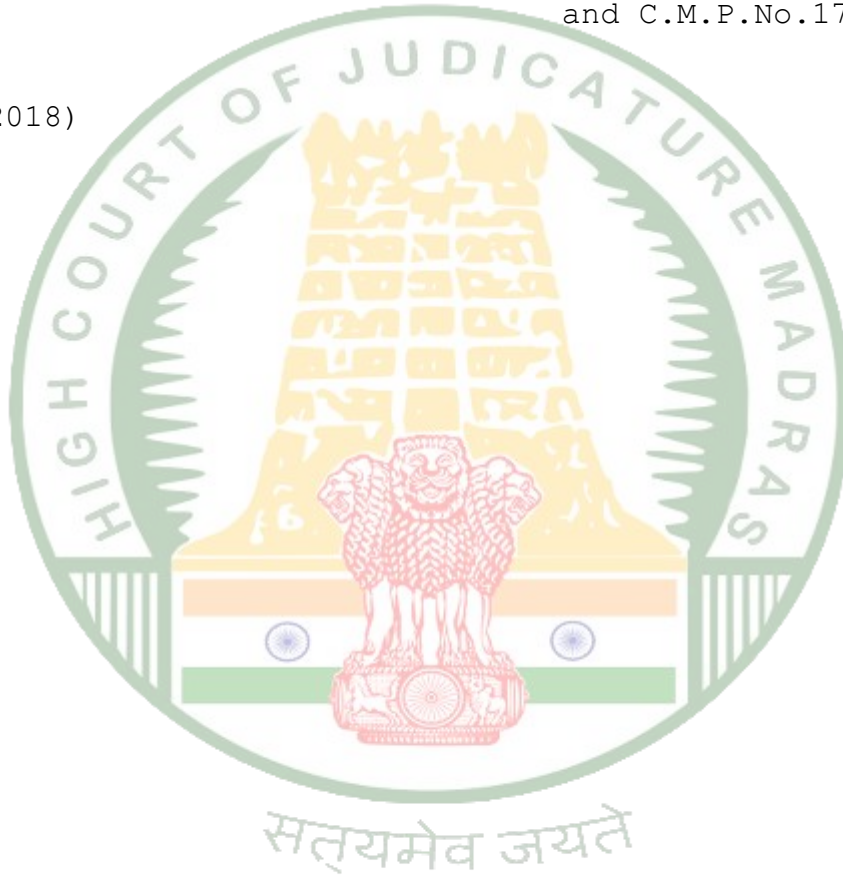
To

1. The I Additional District Judge,
Tiruppur.
2. The XVII Additional Judge,
City Civil Court, Chennai.

+lcc to Mr.A.C.KUMARAGURUBARAN, Advocate, S.R.No. 6569

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SSI (CO)
TR(21/02/2018)



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