

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2018

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Tr.C.M.P.No.926 of 2017
and C.M.P.No.18641 of 2017

1.Jagatha
2.M.Jayaraman

.. Petitioners

Vs.

1.Saroja Bai
2.Seelan Prabakaran @ Abdul Rahim
3.Alamelu
4.Pichaiammal
5.Pichandi
6.Vadivelraj
7.Ilayaraja
8.P.Jeevanantham

.. Respondents

PRAYER: Petition filed under Section 24(b)(ii) of the Civil Procedure Code, to withdraw O.S.No.82 of 2017 pending on the file of the Sub Court, Gudiyattam and transfer the same to the file of the Sub Court, Vaniyambadi.

For Petitioners: M/s.T.Velumani

For RR1 to 7 : Mr.R.Aswini
for M/s.T.Dhanyakumar

For R8 : Not ready in notice

O R D E R

This Transfer Civil Miscellaneous Petition has been filed to withdraw O.S.No.82 of 2017 pending on the file of the Sub Court, Gudiyattam and transfer the same to the file of the Sub Court, Vaniyambadi.

2.Heard the learned counsel for the petitioner as well as the respondents 1 to 7 and perused the materials available on record.

3.According to the learned counsel for the petitioners, the petitioners are senior citizens. There is a life threat to them if they go to Gudiyattam to conduct the case.

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.82 of 2017 pending on the file of the Sub Court, Gudiyattam to Sub Court at Vaniyambadi, 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.

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.82 of 2017. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

gsa

To

The Subordinate Judge, Gudiyattam.

+1cc to Mr.T.VELUMANI, Advocate, S.R.No.37216

+1cc to Mr.T.DHANYAKUMAR, Advocate, S.R.No.36749

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TR(02/07/2018)

सत्यमेव जयते

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