

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P. No.334 of 2018
and C.M.P.No.8559 of 2018

V.Kumarasamy

... Petitioner

Vs.

1.S.Santhanam
2.Pachaiyappan
3.Ulaganathan

... Respondents

Prayer:- Petition is filed under Section 24 of C.P.C., to withdraw and Transfer O.S.No.29 of 1966 pending on the file of the Principal District Munsif Court, Kanchipuram and transfer the same to any other Courts.

For Petitioner : Mr.M.Senthamizh Selvan

O R D E R

This petition is filed to withdraw O.S.No.29 of 1966 pending on the file of the Principal District Munsif Court, Kanchipuram and transfer the same to any other Courts.

2.From the averments set out in the affidavit filed in support of above Transfer Civil Miscellaneous Petition, it is seen that the petitioner has filed Tr.O.P.No.93 of 2016 before the District Court II, Kanchipuram and the same is pending. According to the petitioner, for the past 25 hearings, the Transfer Original Petition is pending and the District Judge II, Kanchipuram has not passed any order. The petitioner has sought permission to withdraw the said Transfer Original Petition on 18.04.2018. The District Judge II, Kanchipuram refused to grant permission to withdraw the Transfer Original Petition. In the circumstances, the petitioner has come out with the present Transfer Civil Miscellaneous Petition to withdraw O.S.No.29 of 1966 pending on the file of the Principal District Munsif Court, Kanchipuram and transfer the same to any other Courts.

3.In view of the pendency of Transfer Original Petition on the file of the District Court II, Kanchipuram, this Transfer Civil Miscellaneous Petition is dismissed, directing the District Judge II, Kanchipuram to hear Tr.O.P.No.93 of 2016 and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order and file the compliance report before this Court. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

gsa

To

1.The District Judge II, Kanchipuram

2.The Principal District Munsif, Kanchipuram

+1cc to Mr.M.Senthamizh Selvan, Advocate sr.no.34926

Tr.C.M.P. No.334 of 2018
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