

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P.No.352 of 2018
and C.M.P.No.9560 of 2018

V.S.Saranya

... Petitioner

Vs.

P.Prakash

... Respondent

Prayer:- Petition has been filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.53 of 2018 pending on the file of the Sub Court, Kallakurichi, Villupuram District and transfer the same to the file of the Sub Court, Harur, Dharmapuri District.

For Petitioner : Mr.G.Saravanan
For Respondent : Mr.N.Ramesh

O R D E R

This petition is filed to withdraw H.M.O.P.No.53 of 2018 pending on the file of the Sub Court, Kallakurichi, Villupuram District and transfer the same to the file of the Sub Court, Harur, Dharmapuri District.

2.When this Transfer Civil Miscellaneous Petition is taken up for hearing, the learned counsel appearing for the respondent submitted that the respondent has no objection to transfer H.M.O.P.No.53 of 2018 pending on the file of the Sub Court, Kallakurichi, Villupuram District to the file of the Sub Court, Harur, Dharmapuri District, to be tried along with H.M.O.P.No.47 of 2018 pending on its file and made an endorsement to that effect. He also prayed for speedy disposal of H.M.O.P.Nos.47 and 53 of 2018.

3.Heard the learned counsel for the petitioner as well as the respondent and perused the materials available on record.

4.In view of the submission and endorsement so made by the learned counsel for the respondent, without deciding the issue on merits, the petition in H.M.O.P.No.53 of 2018 pending on the file of the Sub Court, Kallakurichi, Villupuram District is ordered to be withdrawn and transferred to the file of the Sub Court, Harur, Dharmapuri District to be tried along with H.M.O.P.No.47 of 2018 filed by the petitioner in order to avoid multiplicity of proceedings and conflicting judgments being delivered by two different Courts. The learned Subordinate Judge, Kallakurichi, Villupuram District is directed to transmit all the records pertaining to H.M.O.P.No.53 of 2018 to the file of the Sub Court, Harur,

Dharmapuri District within a period of two weeks from the date of receipt of a copy of this order. On such transfer, the learned Subordinate Judge, Harur, Dharmapuri District is directed to dispose of H.M.O.P.Nos.47 and 53 of 2018 as expeditiously as possible, in any event not later than six months thereafter.

5. Accordingly, the Transfer Civil Miscellaneous Petition is ordered. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

To

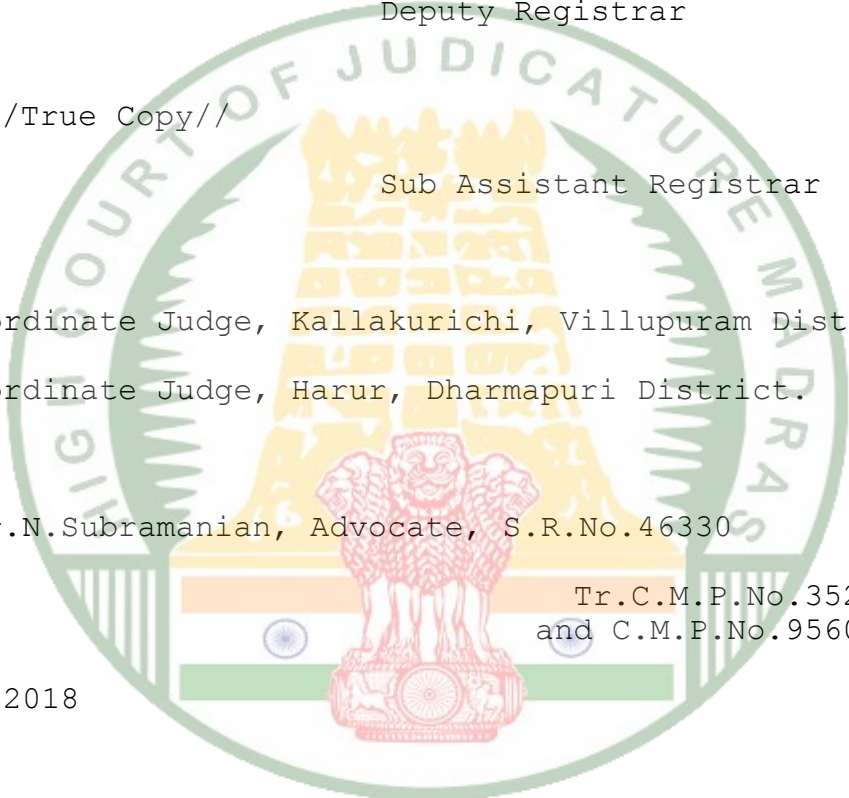
1.The Subordinate Judge, Kallakurichi, Villupuram District.

2.The Subordinate Judge, Harur, Dharmapuri District.

+1cc to Mr.N.Subramanian, Advocate, S.R.No.46330

Tr.C.M.P.No.352 of 2018
and C.M.P.No.9560 of 2018

CS (DR)
SMI/02.08.2018



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