

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P.No.468 of 2018
and C.M.P.No.11721 of 2018

Tamilarasi

... Petitioner

Vs.

Satheeshkumar

... Respondent

Prayer:- Petition has been filed under Section 24 of C.P.C., to withdraw H.M.O.P.No.35 of 2018 pending on the file of the Sub Court, Kallakurichi and transfer the same to the file of the Sub Court, Kangeyam to be tried along with H.M.O.P.No.36 of 2018 pending on its file.

For Petitioner : Mr.N.Ponraj

For Respondent : Mr.R.Kumaravel

O R D E R

This petition is filed to withdraw H.M.O.P.No.35 of 2018 pending on the file of the Sub Court, Kallakurichi and transfer the same to the file of the Sub Court, Kangeyam to be tried along with H.M.O.P.No.36 of 2018 pending on its file.

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.35 of 2018 pending on the file of the Sub Court, Kallakurichi to the file of the Sub Court, Kangeyam to be tried along with H.M.O.P.No.36 of 2018 and he has made an endorsement to that effect.

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on merits, the petition in H.M.O.P.No.35 of 2018 pending on the file of the Sub Court, Kallakurichi is ordered to be withdrawn and transferred to the file of the Sub Court, Kangeyam to be

tried along with H.M.O.P.No.36 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 is directed to transmit all the records pertaining to H.M.O.P.No.35 of 2018 to the file of the Sub Court, Kangeyam within a period of two weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1.The Subordinate Judge, Kangeyam.

2.The Subordinate Judge, Kallakurichi.

+1cc to Mr.R.Kumaravel, Advocate sr.no.52174

+1cc to Mr.N.Ponraj, Advocate sr.no.51603

Tr.C.M.P.No.468 of 2018
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nr 06/09/2018

सत्यमेव जयते

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