

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P.Nos.473 and 474 of 2018

1.Kothandam @ Kothandapani

2.Thirupurasundari

.. Petitioners in both
Tr.C.M.P

Vs.

1.M.A.Rajarathina Mudaliar

2.Balu (died)

3.Krishnaveniammal (died)

4.Veeraraghavan (died)

5.Purushothaman (died)

6.Elumalai

7.Maheswari

8.Dharani

9.Dhanasekaran

10.Rukmani

11.Shanbagavalli

12.Devi

13.Sakunthala

14.Lakshmi

15.Mallika

16.Selvambigai

17.Mohanalakshmi

18.Padmavati

19.P.Rajkumar

20.P.Srinivason

21.Somasundarm

.. Respondents in
Tr.C.M.P.No.473/2018

1.Krishnaveniammal (died)

2.Veeraraghavan (died)

3.Purushothaman (died)

4.Elumalai

5.Maheswari

6.Dharani

7.Dhanasekaran

8.Rubendran

9.Aunthoni

10.Venkatesan

11.Natarajan

12.Rukmani

13.Shanbagavalli

14.Devi

15.Sakunthala

16.Lakshmi
17.Mallika
18.Selvambigai
19.Mohanalakshmi
20.Padmavati
21.P.Rajakumar
22.P.Srinivason
23.Somasundarm

... Respondents in
Tr.C.M.P.No.474/2018

Common Prayer: Petitions are filed under Section 24 of C.P.C., to withdraw O.S.Nos.51 of 2003 and 174 of 1998 pending on the file of the Sub Court, Ponneri and transfer the same to the file of the any other competent Court at City Civil Court, Chennai.

For Petitioners : Mr.N.A.Nissar Ahmed

C O M M O N O R D E R

These petitions are filed to withdraw O.S.Nos.51 of 2003 and 174 of 1998 pending on the file of the Sub Court, Ponneri and transfer the same to the file of the any other competent Court at City Civil Court, Chennai.

2.The issues and the parties involved in both the Transfer Civil Miscellaneous Petitions are one and the same and therefore, they are disposed of by this common order.

3.The petitioners have come out with the present two Transfer Civil Miscellaneous Petitions to transfer O.S.Nos.51 of 2003 and 174 of 1998 pending on the file of the Sub Court, Ponneri and transfer the same to the file of the any other competent Court at City Civil Court, Chennai. According to the petitioners, both the suits are pending for more than two decades. All the parties are residing at Thiruvottiur. The distance between Thiruvottiur and Chennai is only 9 kms, whereas the distance between Thiruvottiur and Ponneri is more than 30 kms. All the parties are senior citizens and it will be convenient for them to attend the hearings in both the suits if the same are transferred to Chennai.

4.Heard the counsel for the petitioners and perused the materials available on record.

5.The petitioners are seeking transfer on the ground that suits are pending for more than two decades. The parties are senior citizens, residing at Thiruvottiur, near Chennai. These grounds are not valid for transfer of the suits. Instead of transferring the suits, it will be suffice in the interest of justice to direct the learned Judge to dispose of both the suits within the time frame fixed by this Court. Therefore, the Subordinate Judge, Ponneri is directed to hear both the suits in O.S.Nos.51 of 2003 and 174 of 1998 on merits and pass

orders within a period of three months from the date of receipt of a copy of this order.

6.With the above directions, both the Transfer Civil Miscellaneous Petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

gsa

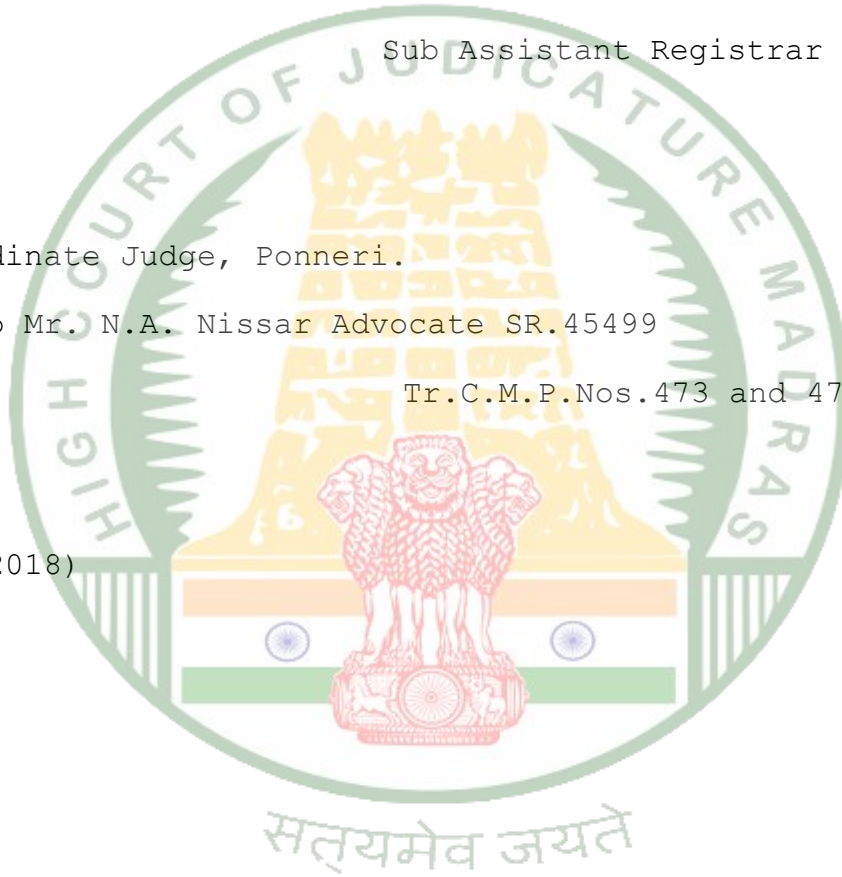
To

The Subordinate Judge, Ponneri.

+ 2 ccs to Mr. N.A. Nissar Advocate SR.45499

Tr.C.M.P.Nos.473 and 474 of 2018

KJI (CO)
EU(09/08/2018)



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