

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P. No.166 of 2016

and C.M.P.No.4737 of 2016

1.V.Sriman Narayanana

2.Mrs.V.Saralakumari

3.A.Ramesh

... Petitioners

Vs.

1.Mr.Sangeetha Raj

2.Mr.M.Sundara Raj

3.Mrs.P.Gnanamani

4.Mrs.D.Elizabeth

5.Mrs.C.Geetha

6.Mrs.C.Jayamani

7.Mrs.A.Amudha

8.V.Sundararajan

9.T.Rajasimmon

10.Sri.T.Elayaraja

11.Pace Builders (Madras) Private Ltd.,

B-58, Anna Nagar East,

Chennai - 600 102.

12.Housing Development Finance Corporation Ltd.,

II Floor, ITC Centre, 760, Anna Salai,

Chennai - 600 002.

13.D.Murugaselvam

14.V.Anochaneyalu

15.The Sub-Registrar,

Konnur, Chennai.

16.The Collector (Stamps)

Rajaji Salai, Chennai.

... Respondents

Prayer:- Petition has been filed under Section 24 of C.P.C., to withdraw and to transfer the suit in O.S.No.7613 of 2008 pending on the file of IV Asst. Judge, City Civil Court, Chennai to the file of Sub Court, Poonamallee to try alongwith O.S.No.91 of 2013.

For Petitioner : No appearance

For R-11 : Mr.B.Rajkumar Ashok Singh

For R-13 : Mr.S.Kasi Kumar

For R1 to 5 : No such person

For R6,8,9,10 & 12 - No appearance

For R7 : Left

For R14 : not found

O R D E R

This petition is filed to withdraw and to transfer the suit in O.S.No.7613 of 2008 pending on the file of IV Asst. Judge, City Civil Court, Chennai to the file of Sub Court, Poonamallee to try alongwith O.S.No.91 of 2013.

2. When the matter is taken up for hearing, there is no representation for the petitioner. The learned counsel for the 13th respondent submitted that O.S.No.7613 of 2008 filed by the petitioners has been dismissed for default on 12.02.2018 and thus the present Transfer Civil Miscellaneous Petition has become infructuous. He has also produced a copy of the e-court order to that effect.

3. The learned counsel appearing for the 11th respondent submitted that in the connected O.S.No.91 of 2013, already trial commenced and it is posted for defendant's side evidence.

4. Recording the submissions made by the learned counsel for the respondents 11 & 13, this Transfer Civil Miscellaneous Petition is dismissed. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rgr
To

1.The IV Asst. Judge,
City Civil Court,
Chennai.

2.The Subordinate Judge,
Poonamallee.

+1cc to Mr.K.Sasikumar, Advocate Sr.No.26676

KGK(CO)
sm:4.5.2018

Tr.C.M.P. No.166 of 2016
and C.M.P.No.4737 of 2016