



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2018

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

TR.C.M.P.(MD).No.289 of 2017 and
C.M.P.(MD)No.6342 of 2017

Geetha ... Petitioner/1st Defendant

Vs.

1. Janaki ... 1st Respondent/Plaintiff

2. Life Insurance Corporation of India,
Kovilpatti Branch,
Rep. by its Branch Manager,
No.952/5, Sathur Main Road,
Kovilpatti Town,
Thoothukudi District. ... 2nd Respondent/2nd Defendant

PRAYER : Transfer Civil Miscellaneous petition is filed under Section 24 of Civil Procedure Code, to withdraw and transfer O.S.No.56 of 2017 from the file of the learned Subordinate Judge, Kovilpatti, to the file of the Principal Sub Court, Trichy.

For Petitioner : Mr.T.Senthil Kumar
For R-2 : Mr.T.Thirumurugan
For R-1 : Mr.S.Pon Senthilkumaran

O R D E R

The petitioner herein is the first defendant in O.S.No.56 of 2017 on the file of the Subordinate Court, Kovilpatti. The said suit has been instituted by the first respondent herein claiming her share in the death benefits payable on account of the demise of one Suresh who is the husband of the petitioner herein and son of the first respondent herein.

2. This Court went through the contents of the plaint. The first respondent has not asked for anything beyond her share. It appears that the Revision petitioner had already received a sum of Rs.9,50,400/- on account of the Insurance policy of her husband. The first respondent has only asked for her 1/3 share. Therefore, this Court is of the view that this is not the case in which the suit has to be transferred. It is also seen that the petitioner is based in Bangalore. The petitioner wants the case to be transferred to Trichy



Court. But then, the Trichy Court will not have any jurisdiction in this matter. This Court finds no merit in this Transfer Civil Miscellaneous petition.

3. The Transfer Civil Miscellaneous petition stands dismissed, accordingly. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/

Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar (CS-II)

To

1. The Subordinate Judge,
Kovilpatti.
2. The Principal Sub Judge,
Trichy.

COPY TO:

The Record Keeper, V.R. Section,
Madurai Bench of Madras High Court,
Madurai. (2 COPIES)

+1cc to Mr.S.PON SENTHIL KUMAR, Advocate, SR.No. 80577
+1cc to Mr.T.THIRUMURUGAN, Advocate, SR.No.80718
+1cc to Mr.T.SENTHIL KUMAR, Advocate, SR.No.80721

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