



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.08.2018

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

C.R.P. (MD) .No.156 of 2016 and
C.M.P. (MD) No.720 of 2016

1. K.Vengan
2. Kumaravel
3. Chinnathambi

... Revision Petitioners/Petitioners

Vs.

1. M.Mani
2. M.Muniyappan

... Respondents/Respondents

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for the records pertaining to the Ex-order and Fair-order dated 24.11.2015 passed in Tr.O.P.No.112 of 2014 on the file of the Principal District Court, Dindigul and set aside the same as illegal.

For Petitioners : Mr.R.Pandi Maharaja

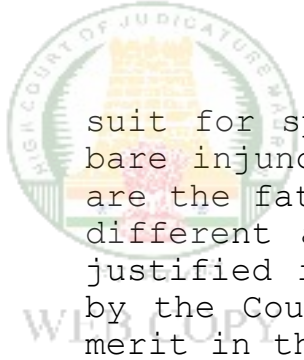
O R D E R

The Revision petitioners are the defendants in O.S.No.286 of 2013 pending on the file of the learned District Munsif, Vedachandur.

2. They want the said suit to be transferred to be tried along with O.S.Nos.93 & 94 of 2013 pending on the file of the Sub Court, Vedachandur. Therefore, they filed Tr.O.P.No.112 of 2014 before the learned Principal District Judge, Dindigul. The said Transfer petition was dismissed on 24.11.2015. Assailing the correctness of the order in question, this Civil Revision petition has been filed.

3. The learned counsel appearing for the Revision petitioners would submit that O.S.Nos.93 and 94 of 2013 on the file of the Sub Court, Vedachandur, were instituted by the father of the plaintiff in O.S.No.286 of 2013. Therefore, he wanted this Court to allow this Civil Revision petition and issue a direction for joint trial.

4. I am unable to agree with the said submission of the learned [counsel for the Revision petitioners](https://hcservices.ecourts.gov.in/hcservices/). As rightly pointed out by the learned Principal District Judge, Dindigul, O.S.No.94 of 2013 is a



suit for specific performance and O.S.No.286 of 2013 is a suit for bare injunction. It is true that the plaintiffs in these two suits are the father and son respectively. But the reliefs sought for are different and the parties are also different. The Court below was justified in dismissing the Transfer petition. The reasons assigned by the Court below are sound and acceptable. This Court finds no merit in this Civil Revision petition.

5. The Civil Revision petition stands dismissed, accordingly. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar(CS-III)

To

1.The Principal District Judge, Dindigul.

2.The District Munsif, Vedachandur.

+1cc to Mr.PANDI MAHARAJA, Advocate, SR.No. 78723

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