



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2018

CORAM :

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

TR CMP (MD) Nos.293 & 294 of 2018

and

CMP (MD) Nos.7278 & 7279 of 2018

TR CMP (MD) No.293 of 2018 :

P.Krishnan ... Petitioner / 4th Defendant
Vs.
1.N.Chellappa Gounder ... 1st Respondent/ Plaintiff

2.N.S.Karuppasamy

3.N.S.Palanisamy

4.M.Karuppasamy

5.K.N.Thandapani

6.P.Velusamy ... Respondents 2 to 6/ Defendant 1,3,4&5

Prayer : Civil Revision Petition is filed under Section 24 of Civil Procedure Code r/w Order Rule 1(2) of CPC, to withdraw the case in O.S No.151 of 2016 on the file of the learned Sub Court, Palani and transfer the same to the learned Additional District Court, Palani.

TR CMP (MD) No.294 of 2018 :

P.Krishnan ... Petitioner / Plaintiff
Vs.
1.N.Chellappa Gounder

2.N.S.Karuppasamy

3.Minor K.Ajaykumar

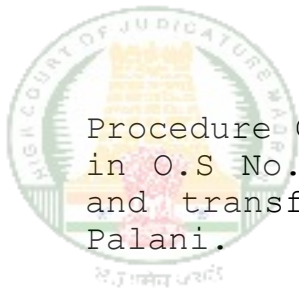
4.Minor K.Selvakumar

5.M.Karuppasamy

(Minor respondents 3 and 4
are rep.by the Natural Guardian
and their father, the 2nd respondent) ... Respondents/Defendant

<https://hcservices.ecourts.gov.in/hcservices/>

Prayer : Civil Revision Petition is filed under Section 24 of Civil



Procedure Code r/w order Rule 1(2) of CPC, to withdraw the case in O.S No.29 of 2017 on the file of the learned Sub Court, Palani and transfer the same to the learned Additional District Court, Palani.

In CRP(MD)No.293 of 2018 :

For Petitioner : Mr.R.Shankar Ganesh
For Respondents : Mr.R.Devaraj for R1
No appearance for R2 to R6

In CRP(MD)No.294 of 2018 :

For Petitioner : Mr.R.Shankar Ganesh
For Respondents : Mr.R.Devaraj for R1
R2 to R4 - service awaited.
R5 - Insufficient address.

COMMON ORDER

The fourth defendant in O.S No.151 of 2016 on the file of the Sub Court, Palani is the petitioner in Tr.CMP(MD)No.293 of 2018. He has also filed Tr.CMP(MD)No.294 of 2018 in respect of O.S No.29 of 2017. Thiru.P.Krishnan is the plaintiff in O.S No.29 of 2017 which is pending before the Sub Court, Palani. There is yet another suit in O.S No.34 of 2017 pending before the Additional District Court, Palani which was filed by two minor children through guardian against Thiru.P.Krishnan and two others.

2.Thus, Thiru.P.Krishnan is the plaintiff in one suit and one of the defendants in the said two suits. There is a broad overlapping in the three suit schedules. It is not in dispute that all the three suits are broadly interlinked. Therefore, in the interest of justice, this Court withdraws O.S No.151 of 2016 and O.S No.29 of 2017 from the file of the Sub Court, Palani and transfers the the same to the file of the Additional District Court, Palani for joint trial along with O.S No.34 of 2017.

3.With this direction, these Transfer Civil Miscellaneous Petitions stand allowed. No costs. Consequently, connected miscellaneous petitions are closed.

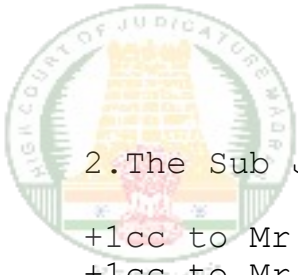
Sd/-
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-IV)

To
<https://hcservices.ecourts.gov.in/hcservices/>

1.The Additional District Judge, Palani.



2.The Sub Judge, Palani.

+1cc to Mr.R.Devaraj, Advocate in SR No.84259

+1cc to Mr.R.Shankar Ganesh, Advocate in SR No.83978

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and
CMP (MD) Nos.7278 & 7279 of 2018

NM/SV/SAR 4/05.10.18/3P/5C