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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

TR.C.M.P. (MD) .No.380 of 2018

and

C.M.P. (MD) .No.9278 of 2018

1.Murugayee
2.Selvarani
3.Nagajothi
4.Bhuvaneshwari
5.Mary Priya

... Revision Petitioners/Defendants 1 to 5

Vs

1.Meena
2.Saravanan
3.Senthilkumar

... Respondents/Plaintiffs 2 to 4

4.The State of Tamilnadu
represented by District Collector,
Dindigul District.

5.The Tahsildar,
Palani Taluk Office,
Palani District.

6.The Commissioner,
Karur Municipality,
Karur District.

... Respondents/Defendants 6 to 7

PRAYER : Petition filed under Section 24 of Civil Procedure Code to withdraw the O.S.No.159 of 2015 pending before the District Munsif Court, Palani, Dindigul District and transfer to Additional District Munsif Court, Karur, Karur District and try along with O.S.No.244 of 2017.

For Petitioners	: Mr.S.Balaji
For R1 to R3	: Mr.R.Mathiyalagan
For R4 and R5	: Mr.M.Karuppasamy
	Government Advocate

ORDER

O.S.No.159 of 2015 on the file of District Munsif Court, Palani has been filed by respondents 1 to 3 herein, seeking the ~~reversal of the~~ declaration that they are the legal representatives of one Palani. To transfer the said suit, this Transfer Civil Miscellaneous Petition has been filed by defendants 1 to 5.



2.The learned counsel for the petitioners submitted that the District Munsif Court, Palani has no territorial jurisdiction to entertain the suit.

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3.If that be so, they are at liberty to file an application before the Court below. The petitioners herein are permitted to file I.A., before the Court below raising the plea of territorial jurisdiction. The Court below shall dispose of the same on merits and in accordance with law, after notices to the contesting parties before taking up the main suit.

4.With this liberty this Transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/

Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar(CS-III)

To

The District Munsif,
Palani.

+1cc to Mr.R.Mathiyalagan, Advocate, SR.No. 91876
+1cc to Mr.S.Balaji, Advocate, SR.No.92006
+1cc to M/s.Special Government Pleader,SR.No. 92259

ORDER MADE IN
TR.C.M.P. (MD) .No.380 of 2018
and
C.M.P. (MD) .No.9278 of 2018
25.10.2018

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KK/RP/SAR-3/01.11.2018/2P-5C