



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.10.2018**

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

TR.C.M.P. (MD) .No.421 of 2018

WEB COPY

Sakthi Balan ... Revision Petitioner/1st Defendant

Vs

1.Vellammal

2.Shanmuganathan ... Respondents 1 and 2/Plaintiffs

3.Pitchaikani ... 3rd Respondent/2nd Defendant

PRAYER : Petition filed under Section 24 of Civil Procedure Code to transfer the suit in O.S.No.73 of 2012 on the file of the Subordinate Court, Sivakasi, Virudhunagar District to the Subordinate Court, Aruppukottai, Virudhunagar District.

For Petitioner : Mr.C.Suresh Kannan

ORDER

The first defendant in O.S.No.73 of 2012 on the file of the Subordinate Court, Sivakasi, seeks transfer of the said suit proceedings.

2.The learned counsel appearing for the revision petitioner submits that the petitioner is aged about 72 years and that except one item, all the other suit items are located only in Aruppukottai. But this cannot be a ground for transfer. It is not in dispute that atleast one item of the suit schedule is located within the territorial limit of the Subordinate Court, Sivakasi.

3.That apart, it is seen that the suit is of the year 2012. The case has progressed to the trial stage. The petitioner is to be cross examined. That the petitioner is seeking transfer six years after institution of the suit shows lack of bonafides on his part. Hence, this Court is not inclined to grant any relief.

4.Accordingly, this Petition is dismissed. No costs.

Sd/-

Assistant Registrar(Records)

/True Copy/



To

The Subordinate Judge,
Sivakasi, Virudhunagar District.

+1cc to Mr.C.Suresh Kannan, Advocate Sr.No.89670

PNN

VB/SV/SAR2/19.11.2018/2P/3C

ORDER MADE IN
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