

A.Nos.512 and 513 of 2016
in C.S.No.757 2015
K.KALYANASUNDARAM, J.

These applications have been filed to transfer or withdraw the suit in O.S.No.6424 of 2012 and O.S.No.6349 of 2012 pending on the file of the XI Assistant City Civil Court, Chennai to be tried along with C.S.No.757 of 2015.

2.Heard the learned counsel for the applicant/plaintiff.

3.Learned counsel for the respondents would submit that both the suits in O.S.No.6424 of 2012 and O.S.No.6349 of 2012 were dismissed for default on 31.10.2018. He would further submit that in O.S.No.6424 of 2012, an application has been filed to restore the suit and the same is pending before the Court below and in respect of the suit in O.S.No.6349 of 2012, no application has been filed so far for restoration, therefore, unless the suits are restored, these applications cannot be maintained.

4.I find force in the submission made by the learned counsel for the respondents and hence, both the applications are dismissed.

30.09.2019

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