

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2019

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

TR C.M.P. No.16 of 2019
and
C.M.P.No.839 of 2019

A.Kaleelullah

... Petitioner

Vs.

1.A.Inayathullah

Zulaikha Begum (Deceased)

2.A.Khader Basha

Fathima Zehra Begum (Deceased)

Mahboob Begum (Deceased)

3.Noorjehan Begum

4.Mumtas Begum

5.Asifa

6.Fathima Begum

7.Rahima

8.Sheik Riaz

9.Jumma Khan

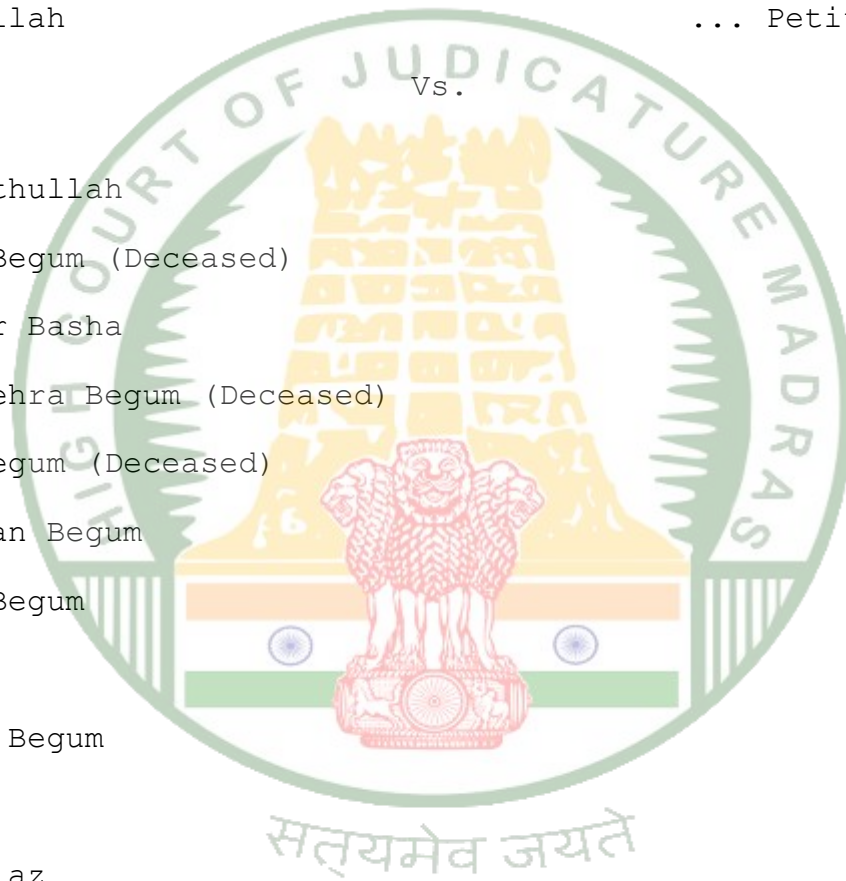
10.Nazir Khan

11.Irfaan Khan

12.Ameer John

13.Rizwan Khan

14.Raz Khan



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15.Gulnar @ Sabiya

... Respondents

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw and transfer the proceedings in I.A.No.16111 of 2013 in O.S.No.1802 of 2003 on the file of II Additional City Civil Court, Chennai to any other Additional City Civil Court, Chennai.

For Petitioner : Mr.T.Nirmaleswar

For Respondents: Mr.M.Balakrishna [for R1]
Mr.R.Krishna Prasad [for R2]
Service Awaited [RR3-5]
Ex-parte [RR6-15]

O R D E R

This Transfer Civil Miscellaneous Petition has been filed seeking transfer of I.A.No.16111 of 2013 in O.S.No.1802 of 2003 on the file of II Additional City Civil Court, Chennai to any other Additional City Civil Court, Chennai.

2. The main grievance of the petitioner was that the trial Court has not issued the certified copy of the order enabling him to file an appeal or revision. Today it is reported that the certified copy was already dispatched to the petitioner and he is yet to file an appeal. Since the grievance of the petitioner has been redressed, he can workout his remedy in the manner known to law. It cannot be a ground for transferring the case.

3. Considering the facts and circumstances of the case, this Court is not inclined to grant the relief prayed for. In result, the Transfer Civil Miscellaneous Petition is dismissed. The interim order granted on 18.02.2019 also stands vacated. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

bri

To

1.The II Additional City Civil Court,
Chennai.

2.The Section Officer,
VR Section, High Court, Madras. (2 Copies)

+1cc to Mr.T.Nirmaleswar, Advocate Sr.41711

+1cc to M/S.Sarvabhauman Associates, Advocate Sr.42373

+1cc to Mr.S.Raghavan, Advocate Sr.42580

TR C.M.P. No.16 of 2019
and
C.M.P.No.839 of 2019

pm[col]
srg 03/07/2019



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