

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.08.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Tr.C.M.P.No.517 of 2019

V.Lakshmikanthamma (deceased)
K.Meenamba

... Petitioner

-vs-

1.V.T.Balakrishna Chetty
2.V.B.Murali
3.V.B.Sambanthan @ Meigannasambanthan
4.V.B.Nagarajan
5.V.B.Muthu @ Muthuraman
6.K.Logamba

... Respondents

Prayer:

Petition filed under Section 24 of C.P.C to order for withdraw of the suit in O.S. No.107 of 2014 on the file of the learned Subordinate Judge at Ponneri and transfer the same to the Court of learned Additional District Judge-IV at Ponneri to be tried along with the said O.S. No.224 of 2014 on the file of the said ADJ IV at Ponneri.

For Petitioner : Mr.C.P.Sivamohan

For Respondents : No appearance for R1 to R5
Ms.K.Logeshwari for R6

सत्यमेव जयते
O R D E R

The Transfer C.M.P. has been filed to transfer the suit in O.S. No.107 of 2014 seeking for declaration of settlement deed as null and void and for consequential relief pending on the file of the learned Subordinate Judge at Ponneri to the file of the learned Additional District Judge-IV at Ponneri so that the same could be tried along with the O.S. No.224 of 2014 filed for partition.

2.When the matter is taken up for hearing, learned counsel appearing for the sixth respondent fairly submitted that he has no objection in allowing the petition.

3.Taking note of the fact that the learned counsel for the sixth respondent has no objection in allowing the petition and despite service of notice, no one appears on behalf of respondents 1 to 5, this Court is inclined to transfer the O.S. No.107 of 2014 pending on the file of the learned Subordinate Judge at Ponneri to the file of the learned Additional District Judge-IV at Ponneri. Accordingly, the Tr.C.M.P. is allowed and the O.S. No.107 of 2014 pending on the file of the learned Subordinate Judge at Ponneri is withdrawn and transferred to the file of the learned Additional District Judge-IV at Ponneri to be tried along with O.S. No.224 of 2014.

4.The learned Additional District Judge-IV at Ponneri is directed to take up the cases and dispose of the same expeditiously in the manner known to law. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vga

To

1.The Subordinate Judge at Ponneri.

2.The Additional District Judge-IV at Ponneri.

+1cc to Mr.C.P.Sivamohan, Advocate, S.R.No.73177

Tr.C.M.P.No.517 of 2019

SPD(CO)
CS/11/10/2019

सत्यमेव जयते

WEB COPY