

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2019

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

Tr.CMP No.931 of 2019
and
CMP No.25513 of 2019

Manoharan ... Petitioner

Vs

1. V. James
2. S. Ganesh
3. D. Lakshmi
4. S.Subbarayan Respondents

Transfer CMP filed under Section 24 of CPC for Transfer of Suits to withdraw and transfer of O.S. No.168 of 2014 being heard in the Subordinate Court, Kancheepuram to the Subordinate Court at Tambaram.

For petitioner : Mr.J.Venkitachalam

ORDER

This petition has been filed to withdraw and transfer O.S. No.168 of 2014 on the file of the Sub Court, Kancheepuram to the Sub Court, Tambaram.

2. Heard the learned counsel for the petitioner.

3. Since, the suit filed by the plaintiff before the Sub Court, Kancheepuram is a suit for land, the request made by the petitioner in this Transfer CMP cannot be granted, as he seeks for transfer of the suit from the Sub Court, Kancheepuram to the Sub Court, Tambaram. The Sub Court, Tambaram will not have a jurisdiction to entertain the suit, since the subject property is situated within the territorial jurisdiction of the Sub Court, Kancheepuram. The learned counsel for the petitioner has made an endorsement in the court bundle seeking permission of this Court to withdraw this Transfer CMP. However, he seeks a direction from this Court for early disposal of the suit before the Sub Court, Kancheepuram, since the petitioner is aged 68 years old and is not keeping in good health. Acceding to his

request, this petition is dismissed as withdrawn and a direction is given to the Sub Court, Kancheepuram to dispose of the suit O.S. No.168 of 2014, within a period of six months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi2

To :

1. The Sub Judge,
Kancheepuram.
2. The Sub Judge,
Tambaram.

+1cc to M/s.K.Thirumalai, Advocate Sr.99651

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