



WEB COPY

TR.C.M.P.(MD)No.7 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 18.11.2019

CORAM

THE HONOURABLE MS. JUSTICE P.T.ASHA

Tr.C.M.P. (MD)No.7 of 2018

and

C.M.P. (MD)No.145 of 2018

Vasanthi

.. Petitioner

Vs.

1.M/s.Sterling Holiday Resorts (India) Ltd.,
154, Eldams Road,
Teynampet, Chennai -18.

Ramani @ Ramanikanthammal (Died)

2.Jyothi @ Jyothi Nageswaran
3.Chandrasekaran
4.Selvarani
5.D.Devadass
6.Swarna Kumar
7.Ashok kumar
8.A.K.Mukundhan

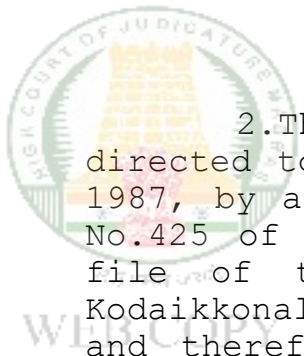
.. Respondents

Prayer : Petition is filed under Section 24 of Civil Procedure Code, to withdraw the case in O.S.No.155 of 1993 pending on the file of the District Munsif cum Judicial Magistrate, Kodaikonnal, Dindigul District and transfer the same to the I Additional Subordinate Court, Trichirappalli.

For Petitioner	:Mr.N.Tamilmani
For 1 st Respondent	:Mr.A.R.L.Sundaresan, Senior Counsel For Ms.A.L.Gandhimathi
For 7 th Respondent	: Mr.S.Vinayak
For Respondents 2 to 6, 8	: No Appearance

ORDER

The above Transfer Civil Miscellaneous Petition has been filed at the behest of one of the defendants in the suit in O.S.No.222 of 1987 on the file of the learned I Additional Sub Judge, Trichirappalli, who is also the defendant in suits O.S.Nos.182 of 2005 and 155 of 1993 both on the file of the learned Distirct Munsif cum Judicial Magistrate, Kodaikkonal, Dindigul District.



2.The suits in O.S.Nos.182 of 2005 and 222 of 1993 were directed to be tried together along with the suit in O.S.No.826 of 1987, by an order of this Court dated 27.10.2017, in Tr.C.M.P.(MD) No.425 of 2017. The suit in O.S.No.155 of 1993 is pending on the file of the learned District Munsif cum Judicial Magistrate, Kodaikkonal and was not included in the above transfer proceedings and therefore, O.S.No.155 of 1993 is being tried independent of other suits. In the suit in O.S.No.155 of 1993, the plaintiff's side evidence is closed and the defendants side evidence has commenced.

3.In these circumstances, no useful purpose would be served in transferring the suit O.S.No.155 of 1993 to be tried along with the other suits. Hence, this Transfer Civil Miscellaneous Petition is dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

Mrn

To

1.The Distirct Munsif cum Judicial Magistrate, Kodaikkonal, Dindigul District.

2.The I Additional Subordinate Court, Trichirappalli.

+1 CC to M/s.N.TAMILMANI, Advocate (SR-99283[F] dated 19/11/2019)
+1 CC to M/s.AL .GANTHIMATHI, Advocate (SR-99579[F] dated 20/11/2019)

Tr.C.M.P. (MD)No.7 of 2018
18.11.2019

SMA/18/12/19/2P/5C